To: casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]
Cc: Mallori Miller[MMiller@ipaa.org]
From: Dan Naatz
Sent: 2017-11-28T09:24:11-05:00
Importance: Normal
Subject: Resource Development Units
Received: 2017-11-28T09:24:23-05:00

Casey:

We had in inquiry from a member company regarding the future of Resource Development Units (RDUs) on federal onshore lands. As you may know, Onshore Orders 3, 4, 5, made commingling on federal lands difficult. The RDU helped address those concerns by eliminating lease lines within the unit, and allowing for surface commingling. We understand the application process for an RDU is rigorous and ensures equity for all involved and has become a popular tool to use by many of our members. Commingling, through formation of a unit, enhances economics and reduces surface disturbance.

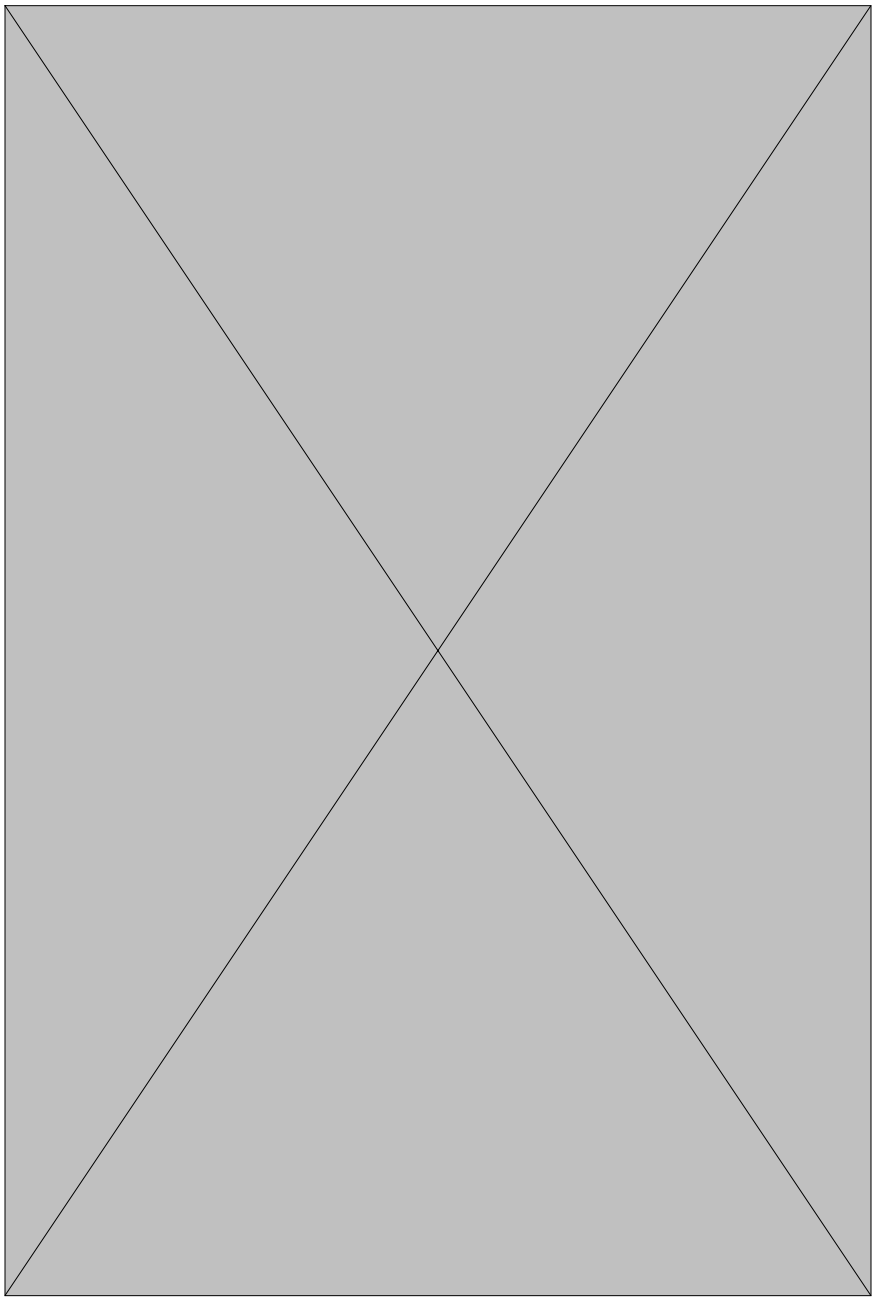
It appears the BLM state office (particularly New Mexico) are now claiming the RDU concept was not fully vetted through Washington and as such, the option may be terminated.

Can you provide me with any additional details regarding the future of RDU's? We would hope the agency could find a solution that would either allow the RDU option to remain in place or at the least allow the program to remain until and alternate is approved.

Thanks and please let me know if you have any questions.

Dan Naatz
IPAA
(202) 857-4722

To: Jim Cason[James_cason@ios.doi.gov]
From: Rachel McNerney
Sent: 2017-11-28T17:02:52-05:00
Importance: Normal
Subject: COGA Members are Filling up a Food Truck
Received: 2017-11-28T17:05:22-05:00



To: Dan Naatz[dnaatz@ipaa.org]
Cc: Mallori Miller[MMiller@ipaa.org]
From: Hammond, Casey
Sent: 2017-12-01T14:42:23-05:00
Importance: Normal
Subject: Re: Resource Development Units
Received: 2017-12-01T14:42:50-05:00

Hello Dan,

Sorry for the delay. I suggest you reach out to Kate for this particular question.

Thanks,

Casey

On Tue, Nov 28, 2017 at 9:24 AM, Dan Naatz <dnaatz@ipaa.org> wrote:

Casey:

We had in inquiry from a member company regarding the future of Resource Development Units (RDUs) on federal onshore lands. As you may know, Onshore Orders 3, 4, 5, made commingling on federal lands difficult. The RDU helped address those concerns by eliminating lease lines within the unit, and allowing for surface commingling. We understand the application process for an RDU is rigorous and ensures equity for all involved and has become a popular tool to use by many of our members. Commingling, through formation of a unit, enhances economics and reduces surface disturbance.

It appears the BLM state office (particularly New Mexico) are now claiming the RDU concept was not fully vetted through Washington and as such, the option may be terminated.

Can you provide me with any additional details regarding the future of RDU's? We would hope the agency could find a solution that would either allow the RDU option to remain in place or at the least allow the program to remain until and alternate is approved.

Thanks and please let me know if you have any questions.

Dan Naatz

IPAA

(202) 857-4722

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Esther Wagner
Sent: 2017-12-05T12:18:14-05:00
Importance: Normal
Subject: PAW SG NOI Comments
Received: 2017-12-05T12:19:21-05:00
PAW-SG NOI Comments 11-30-17.pdf

Hi Tim,

Attached are PAW's comments on the Sage-grouse NOI.

Please let me know if you have any questions.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

PETROLEUM ASSOCIATION OF WYOMING

951 Werner Court, Suite 100
Casper, Wyoming 82601
(307) 234-5333

fax (307) 266-2189
e-mail: paw@pawyo.org
www.pawyo.org

November 30, 2017

Erica Husse
BLM Wyoming State Office
5353 Yellowstone Road
Cheyenne, WY 82009

SENT VIA EMAIL TO: ehusse@blm.gov

RE: Amendments to Wyoming Land Use Plans regarding Greater Sage-Grouse Conservation

Dear Ms. Husse:

The Petroleum Association of Wyoming (PAW) would like to thank the Bureau of Land Management (BLM) for the opportunity to submit comments on issues with the Wyoming land use plans regarding Greater sage-grouse (GRSG) conservation. PAW is Wyoming's largest and oldest oil and gas organization dedicated to the betterment of the state's oil and gas industry and public welfare. PAW members, ranging from independent operators to integrated companies, account for approximately ninety percent of the natural gas and eighty percent of the crude oil produced in Wyoming. PAW supports the revision of portions of the Wyoming land use plans regarding GRSG conservation in order to make the federal land use plans consistent with Wyoming Executive Order 2015-4, Greater Sage-Grouse Core Area Protection.

PAW supports Wyoming Executive Order 2015-4, Greater Sage-Grouse Core Area Protection (EO). The EO was developed through a collaborative process among Wyoming stakeholders and contains Wyoming's state plan for GRSG habitat management based on a core area protection strategy (Strategy) that has been endorsed by the US Fish and Wildlife Service (USFWS) as a viable plan. Through the collaborative process, strongholds were identified where GRSG are present and protection of those areas was provided through the establishment of core areas. The Strategy is consistent with a mitigation hierarchy approach and the protections in the core areas are designed to prevent discernible impacts to GRSG, negating the need for offset mitigation in all but the rarest of instances. An indispensable premise of the Strategy is to protect GRSG by limiting development inside core, while incentivizing development outside core. The Strategy also appropriately provides for adjustments to stipulations based on local conditions and the recognition of valid existing rights. In direct conflict to this basic tenet of the EO, the federal land use and resource management plans for Wyoming, including the United

States Forest Service Sage-Grouse Record of Decision, (RMPs)[1] generally place the same value on all habitat, regardless of whether it occurs inside or outside of core or whether GRSG are actually present. Failing to recognize that core area habitat has a higher value than noncore habitat defeats the incentive to develop outside of core.

PAW understands the importance of avoiding a listing of the GRSG and we believe the EO provides the habitat protection needed to accomplish this through its density and disturbance limitations that protect twenty-three percent of Wyoming as Core, or Priority Habitat Management Areas (PHMAs), and support more than eighty percent of all GRSG in the State. As such, PAW believes revisions need to be made to the RMPs to ensure BLM's management direction follows the parameters established in the EO, thereby providing for consistent management and regulatory certainty throughout the State. Many of the problematic provisions in the RMPs demonstrate a lack of understanding of the federal oil and gas program as is evidenced by ill-conceived measures that are either impossible to implement or are unduly restrictive. Therefore, we recommend federal GRSG land use plan revisions be made on a state-by-state basis and that the Wyoming RMPs provide for clear consistency with the EO. We urge BLM to examine all mechanisms, in addition to plan amendments (such as maintenance actions or Instruction Memoranda), that are appropriate for achieving consistency between the RMPs and the EO. We request, however, that lease deferrals not be imposed during any of these processes.

PRIORITY HABITAT MANAGEMENT AREA BOUNDARIES

Over the past two years since the BLM RMPs were released, industry has been operating under two PHMA boundary maps. This issue was mainly a result of timing. The Wyoming core area map was updated to Version 4 by the Sage-Grouse Implementation Team (SGIT) through a public and science-based process in 2015. During that same time, finalization of the RMPs was taking place and consequently the RMPs incorporated Version 3 of the map. Operating under two separate core area maps created areas that were considered both PHMA and GHMA depending upon whether operators were dealing with the State or the BLM. This was cause for significant delays and confusion on both the project planning and Application for Permit to Drill

[1]Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015.
Worland Field Office Approved Resource Management Plan, September 2015 (as maintained January 2016).
Cody Field Office Approved Management Plan, September 2015.
Buffalo Field Office Approved Management Plan, September 2015.
Record of Decision and Approved Resource Management Plan for the Lander Field Office Planning Area, June 2014.
USDA Forest Service Greater Sage-Grouse Record of Decision, September, 2015. While we understand the Forest Service is conducting their own scoping process in this matter, we feel it is important to convey issues with the Forest Service ROD to BLM as well.

(APD) level. We commend BLM for taking steps to alleviate this issue by adopting Version 4 of the Wyoming Core Area Map through a maintenance action in October, 2017.

While BLM has remedied the issue, the PHMA boundary map being utilized by the USDA Forest Service (USFS) continues to be inconsistent with the Wyoming Core Area Map. Through the land use planning process, the USFS added new areas to PHMA within the State of Wyoming that are neither consistent with any version of the Wyoming Core Area Map nor supported by valid science. It is our understanding that the areas do not contain suitable habitat for GRSG and/or do not support significant populations of GRSG. In order to alleviate confusion and to provide the best science-based protection for GRSG, PAW recommends the USFS revise its PHMA boundaries to be consistent with those in Version 4 of the Wyoming Core Area Map. We further recommend this be done through a maintenance action, much the same as was recently completed by BLM.

PRE-2008 PERMITTED ACTIVITIES

The EO places importance on respecting valid existing rights and specifically exempts pre-2008 permitted activities from having to comply with core area stipulations. The EO states, "[a]ctivities existing or permitted in Core Population Areas prior to August 1, 2008, will not be required to be managed under Core Population Area stipulations."[2] It further goes on to provide that, "[f]ederal and state permitted activities, within a defined project boundary (such as a recognized federal oil and gas unit, drilling and spacing unit, mine plan, subdivision plat, utility ROW, grazing allotment, etc.), shall be allowed to continue within the existing boundary even if the use exceeds recommended stipulations"[3]. No such provisions are provided in the RMPs.

While the RMPs state BLM will respect valid existing rights, they further provide that BLM will "work with proponents holding valid existing leases…to ensure that measurable sage-grouse conservation objectives…are included in all project proposals."[4] It needs to be taken into consideration that when operators planned or initiated projects in or prior to 2008, they did not anticipate inclusion of GRSG protections that have been put in place over the past nine years. Subjecting pre-2008 permitted activities to these stipulations is unreasonable and has the potential to render previously authorized projects uneconomic and/or impossible to complete. As such, PAW recommends the RMPs be revised to specify pre-2008 permitted activities, such as oil and gas units and drilling and spacing units, are not subject to GRSG stipulations.

---

[2] Wyoming Executive Order 2015-4 Greater Sage-Grouse Core Area Protection, July 29, 2015, p. 4.
[3] Id.
[4] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, pg. 28.

The EO also provides that activities permitted outside of core prior to its effective revision date (July 29, 2015) that are now included in core as a result of changes made to the Core Area Map (Version 4) are not subject to core area stipulations. We recommend the RMPs be changed to reflect this provision as well.

NET CONSERVATION GAIN AND COMPENSATORY MITIGATION REQUIREMENTS

PAW maintains the net conservation gain mitigation standard established in the RMPs is unreasonable and needs to be eliminated. Not only do we believe the net conservation gain standard is inconsistent with FLPMA, we also maintain this mitigation standard was nullified by the rescission[5] of the November 3, 2015 Presidential Memorandum that established the net benefit mitigation standard.[6] It must be noted that FLPMA does not authorize BLM to require land users to offset their impacts to achieve a net conservation gain, rather, BLM may only condition land uses to avoid "unnecessary or undue degradation".[7] Through this mandate, FLPMA clearly recognizes that, as part of the multiple-use mandate, some degradation to the public lands may occur. As such, the net conservation gain standard needs to be eliminated throughout the RMPs.

With regard to compensatory mitigation requirements, PAW supports the EO wherein compensatory mitigation is only required in PHMA and only if specific PHMA thresholds (such as maximum density and disturbance thresholds) are exceeded. We further support the idea of consistent application of compensatory mitigation ratios as outlined in the EO's Compensatory Mitigation Framework. In order for the RMPs to be consistent with the EO in these areas, the RMPs need to be changed to eliminate all compensatory mitigation requirements in GHMA and to only require compensatory mitigation in PHMAs when specific thresholds are exceeded. Further, in order to provide consistent and effective protection, the process of project by project compensatory mitigation calculation determinations needs to be removed and BLM needs to instead utilize the State's Compensatory Mitigation Framework.

With regard to the use of compensatory mitigation to receive timing stipulation relief, the exception criteria in the RMPs need to be revised in order for BLM to be able to systematically grant such relief as allowed by the Wyoming Compensatory Mitigation Framework without the need for additional NEPA analysis. As it currently stands, exceptions from timing stipulations are only allowed as follows:

---

[5] Presidential Executive Order on Promoting Energy Independence and Economic Growth, March 28, 2017. Available at: https://www.whitehouse.gov/the-press-office/2017/03/28/presidential-executive-order-promoting-energy-independence-and-economi-1.

[6] Presidential Memorandum: Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment, November 3, 2015. Available at: https://obamawhitehouse.archives.gov/the-press-office/2015/11/03/mitigating-impacts-natural-resources-development-and-encouraging-related.

[7] 43 U.S.C. § 1732(b).

> "The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success. Actions designed to enhance the long-term utility or availability of suitable Greater Sage-Grouse habitat may be exempted from this timing limitation. The BLM can and does grant exceptions to seasonal restrictions if the BLM, in coordination with the WGFD, determines that granting an exception would not adversely impact the population being protected."[8]

As stated above, PAW strongly recommends the RMPs be changed to eliminate the net conservation gain mitigation standard. We further recommend the RMPs be changed to be consistent with EO compensatory mitigation requirements wherein it is only required in PHMA when specific thresholds are exceeded. Also, in the interest of regulatory certainty, we support the use of consistent application of compensatory mitigation ratios as provided in the EO's Compensatory Mitigation Framework.

REQUIRED DESIGN FEATURES

Many of the Required Design Features (RDFs) and Best Management Practices (BMPs) in the RMPs fail to reflect the complexity of oil and gas exploration and development and impose a one-size-fits-all management approach that disregards topography, local conditions, socio-economics and practicality. Many of the RDFs are needlessly restrictive, scientifically unfounded, and ignore specific cause and effect mechanisms. Among other things, the RDFs cause development plans to be delayed in order to facilitate phased development, require altered drilling practices and procedures, and require countless mitigation measures regardless of their feasibility, practicality, or cost. The application of many of the RDFs will render oil and gas development uneconomical.

Of additional concern is that the RMPs impose RDFs in both PHMA and GHMA. As we have mentioned earlier in our comments, the premise of the EO is to provide incentive, through fewer restrictions, for development to occur in GHMA. Also, while the EO is designed to protect GRSG populations, the RMPs create a framework of protecting every lek. Applying RDFs in GHMA blurs the distinction between PHMA and GHMA, thus decreasing the incentive to avoid development in PHMA. While some of the RDFs may prove effective, only those that are reasonable should be incorporated in PHMA and only as recommended measures, not required actions.

---

[8] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, Appendix B - Fluid Mineral Stipulations, page 124.

The EO appropriately recognizes "that adjustments to stipulations may be necessary based upon local conditions, opportunities, and limitations."[9] PAW recommends the same flexibility be provided in the RMPs and that RDFs only be applied in PHMA on a site-specific basis as recommended, not required, measures. PAW maintains that any RDFs or other restrictions contained in the RMPs that go beyond the EO are unjustified and should be eliminated.

NOISE

The noise requirements in the RMPs are excessive and should be eliminated. Not only do the RMPs place noise restrictions in both GHMAs and PHMAs, they "limit noise to less than 10 decibels above ambient measures (20-24 dBA)"[10]. This is particularly egregious when sufficient evidence does not exist showing at what level, if any, anthropogenic noise negatively affects GRSG population behavioral cycles. The 20-24 dBA ambient noise level is not scientifically supported and has not been proven to be representative of average ambient noise on multiple use lands in Wyoming. Further, while the EO does contain noise limitations, they are only required in PHMA. The EO also acknowledges that additional research and information is necessary with regard to noise restrictions and states, "[s]pecific noise protocols for measurement and stipulations for implementation will be developed as additional research and information emerges."[11] As such, PAW strongly recommends any noise restrictions be deferred pending further research.

At the very least, the RMP noise requirements need to be consistent with those contained in the EO. Again, the EO places noise restrictions only in PHMA and provides that, "New project noise levels, either individual or cumulative, should not exceed 10 decibels (as measured by L_{50}) above baseline noise at the perimeter of a lek from 6:00 pm to 8:00 am during the breeding season (March 1 to May 15)."[12] As stated earlier in our comments, a basic tenet of the EO is to encourage development outside PHMA. Imposing unreasonable noise limits outside of PHMA, as the RMPs do, is completely contrary to that premise. Also, the EO only imposes noise restrictions from 6:00 pm to 8:00 am from March 1 to May 15, while the RMPs additionally "[require] noise shields when drilling during the…<u>wintering season</u>" (emphasis added) [13] and require that new compressor stations be placed outside PHMAs. Lastly, the Buffalo RMP

---

[9] Wyoming Executive Order 2015-4, p. 4.
[10] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, Appendix C – Required Design Features, p. 131.
[11] Wyoming Executive Order 2015-4, Attachment B, p. 8.
[12] Id.
[13] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, Appendix C – Required Design Features, p. 131

imposes the additional requirements to "[r]educe noise from industrial development or traffic, especially in breeding and brood-rearing habitats"[14] and "[m]inimize noise levels and locations of compressors and generators within connectivity areas."[15] These provisions that go above and beyond what is required in the EO are excessive and need to be removed.

The noise restrictions imposed by the RMPs are unreasonable and impractical, particularly as sufficient evidence does not exist showing at what level, if any, anthropogenic noise negatively affects GRSG behavior. BLM has not analyzed or justified why noise restrictions are required outside of PHMAs and outside of the lekking period. As such, the noise restrictions in the RMPs need to be deferred until further research and information becomes available or, at the very least, they need to be changed to be consistent with those contained in the EO.

WINTER CONCENTRATION AREAS

The determination of restrictions to be placed on Winter Concentration Areas (WCAs) needs to be deferred pending further research. There is a lack of understanding of what, if any, level of activity poses disturbance to GRSG in WCAs. The State of Wyoming, through the SGIT, will be conducting a scientific study to determine the appropriate thresholds to place on WCAs. Due to the fact that surface activities are seasonally prohibited in WCAs from December 1 to March 14, there needs to be clear knowledge and proof that No Surface Occupancy (NSO) disturbance thresholds are warranted during those timeframes.

The RMPs are similar to the EO in that they prohibit "surface disturbing and/or disruptive activities in sage-grouse winter concentrations areas from December 1 – March 14."[16] However, while the EO permits production and maintenance activities to take place during seasonal stipulations, the RMPs do not provide this necessary exception. As a matter of environmental health and safety, the RMPs need to be changed to allow for production and maintenance activities to take place as necessary while seasonal use restrictions are taking place.

The Buffalo RMP also includes a provision to its WCA seasonal restriction that "dates may be expanded by up to 14 days prior to or subsequent to the above dates."[17] This same provision is provided in both the RMPs and the EO with regard to nesting, breeding and brood-rearing seasonal restrictions; however, the Buffalo RMP is the only plan that applies the same exception to WCAs. PAW takes issue with this exception to both seasonal stipulation

---

[14] Buffalo Field Office Approved Management Plan, September 2015, Appendix C – Best Management Practices and Required Design Features, p. 312.
[15] Id. at 320.
[16] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, p. 36.
[17] Buffalo Field Office Approved Management Plan, September 2015, p. 43.

timeframes in that it removes a level of regulatory certainty when planning for development to take place. Operators need to be provided with ample notice that they are going to be affected by this change in order to maintain regulatory certainty.

WCAs are described as areas "where large numbers of Core Population Area Greater sage-grouse congregate and persistently occupy between December 1 and March 14."[18] Identification of WCAs differs from the RMPs to the EO. The EO states:

> "Specifically, winter concentration areas, defined as places where large numbers of Core Population Area Greater sage-grouse congregate and persistently occupy between December 1 and March 14, should be identified and protected. Identification of winter concentration areas should be based on habitat features and repeated observations of winter use by biologically significant numbers of Greater sage-grouse (e.g., groups of 50 Greater sage-grouse)…"[19]

While the RMPs provide a much more detailed description of what habitat features should be present in order to qualify as a WCA, they also provide that WCAs may consist of as few as 25 GRSG. PAW maintains in order to be consistent with the EO, the RMPs need to be revised to clarify that identification of WCAs is based on groups of 50 or more PHMA GRSG. It is imperative that BLM only designate WCAs in the RMPs after the areas have been designated as such by the SGIT and incorporated into the EO.

There is still much to be learned with regard to appropriate disturbance thresholds and seasonal restrictions in WCAs. The EO states, "the State of Wyoming will develop appropriate local, science-based standards to manage disturbance in identified and mapped winter concentration areas."[20] As such, PAW strongly recommends any stipulations with regard to WCAs be deferred until new and emerging science is completed.

ADAPTIVE MANAGEMENT

With regard to adaptive management, PAW recommends the RMPs be revised to be consistent with the EO. The EO provides:

> "[i]if declines in affected leks (using a three-year running average during any five year period relative to trends on reference leks) are determined to be caused by the project, the operator will propose adaptive management responses to increase the number of birds. If the operator cannot demonstrate a restoration

[18] Wyoming Executive Order 2015-4, Attachment A, p. 5.
[19] Id.
[20] Wyoming Executive Order 2015-4, p. 5.

> of bird numbers to baseline levels (established by pre-disturbance surveys, reference surveys and taking into account regional and statewide trends) within three years, operations will cease until such numbers are achieved."[21]

The RMPs provide a much more in depth adaptive management plan which includes soft triggers which are "any deviation from normal trends in habitat or population in any given year"[22] and hard triggers which are indicators "that the species is not responding to conservation actions, or that a larger-scale impact or set of impacts is having a negative effect."[23] The response to both triggers is to make changes to management, either to apply more restrictive measures or defer continued operations. We question the validity and ability of BLM to affect the prescribed responses since they will result in changes to management prescriptions and likely require subsequent NEPA analysis. Of particular concern is that the RMPs do not include a provision detailing what will happen if GRSG populations return to baseline levels. PAW believes the State's adaptive management plan is sufficient, particularly as it includes a provision that operations will be allowed to resume once baseline populations return. As such, PAW recommends BLM revise their adaptive management plan to be consistent with the EO.

ROW AVOIDANCE AND EXCLUSION AREAS

With regard to federal right-of-way (ROW) access to private minerals, PAW believes the PHMA avoidance and exclusion provisions in the RMPs could result in a significant portion of private minerals in PHMAs no longer being accessible, either through lack of access or exorbitant compensatory mitigation costs. The RMPs provide that "PHMAs will be managed as right-of-way (ROW) avoidance areas for new ROW or special Use Authorization (SUA) permits" and state that "new ROWs/SUAs will be located within designated RMP corridors or adjacent to existing ROWs/SUAs where technically feasible."[24] If operators are unable to site their ROWs within the designated areas, they are required to apply disturbance from the new ROWs toward the PHMA 5% disturbance threshold which may result in excessive compensatory mitigation costs in order to access private minerals.

USFS LEASE DEFERRALS

During the time the RMPs were being drafted, leases in GRSG PHMAs were deferred pending completion of the documents. Since finalization of the RMPs, BLM has initiated leasing within PHMA, except in areas where the surface is managed by the USFS Thunder Basin National

---

[21] Wyoming Executive Order 2015-4, Attachment B, p. 10.
[22] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, p. 37.
[23] Id.
[24] Id at 60.

Grasslands (TBNG). BLM should work closely with the USFS to immediately resume the leasing approval process within the TBNG.

Again, thank you for the opportunity to provide comments amendments to the land use plans regarding GRSG conservation. Please feel free to contact me with any questions.

Sincerely,

Esther Wagner

Esther Wagner
Vice President – Public Lands

cc: Mary Jo Rugwell, BLM Wyoming State Director
Larry Claypool, BLM Wyoming Associate State Director
Mike McGrady, Policy Advisor, Wyoming Governor Matthew Mead's Office
Bob Budd, Chairman, Sage-Grouse Implementation Team
John Shivik, Wildlife Biologist, US Forest Service

To: smcdonald@ipaa.org[smcdonald@ipaa.org]
From: Hammond, Casey
Sent: 2017-12-06T09:23:43-05:00
Importance: Normal
Subject: Out of Office: return 12/11 Re: IPAA ESA Clips - 12/6/17
Received: 2017-12-06T09:23:50-05:00

I will be out of the office until Monday, December 11th . I will have occasional access to email during this time. If you need immediate assistance please contact Penny Bolden at 202-208-2197.

To: Greg Schrab[gschrab@sm-energy.com]
Cc: Tripp Parks[tparks@westernenergyalliance.org]
From: Hammond, Casey
Sent: 2017-12-15T12:54:25-05:00
Importance: Normal
Subject: Re: Examples of Issues with Casper, WY BLM Field Office
Received: 2017-12-15T12:54:52-05:00

Thanks for following up Greg.

On Fri, Dec 15, 2017 at 11:14 AM, Greg Schrab <gschrab@sm-energy.com> wrote:

Casey,

At our WEA-contingent meeting with you last Monday afternoon, you said I should ping you on this list I had sent to you after we talked at the IPAA forum in October.

So here is the list of various issues we've had with the Casper FO this year, with some updates (in red font) after checking with our environmental/regulatory guy in Casper.

One other thing our Casper guy noted is that Kathleen Lacko/CFO, he thinks her title is minerals field manager, signs off on all APDs, which appears to be a real bottleneck.

Thanks again for meeting with us last week!

Thanks,

Greg

Greg Schrab, CHMM, CSP

Corporate EH&S Manager

1775 Sherman Street

Suite 1200

Denver, CO 80203

Office: (303) 864-2567

Cell: (b)(6)

gschrab@sm-energy.com

From: Greg Schrab
Sent: Thursday, October 19, 2017 3:15 PM
To: 'Hammond, Casey'
Subject: RE: Examples of Issues with Casper, WY BLM Field Office

You're welcome Casey.

Greg Schrab, CHMM, CSP

Corporate EH&S Manager

1775 Sherman Street

Suite 1200

Denver, CO 80203

Office: (303) 864-2567

Cell: (b)(6)

gschrab@sm-energy.com

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Thursday, October 19, 2017 2:34 PM
To: Greg Schrab
Subject: Re: Examples of Issues with Casper, WY BLM Field Office

excellent. thank you.

On Thu, Oct 19, 2017 at 4:12 PM, Greg Schrab <gschrab@sm-energy.com> wrote:

Casey,

It was a pleasure meeting you on Tuesday at the IPAA Regulator Forum. I appreciate you responding to my question, and as I suggested during the break, I'm providing a brief list of examples of issues SM Energy is having with the Casper FO, including the MBTA/raptor issues I mentioned. Please let me know if you have any questions or would like more details.

Thanks,

Greg

Issues	Examples
MBTA/Raptors	**Raptor Nest Stipulations:** BLM denied work to replace g permanent power, based on unoccupied raptor nest; we had to l conduit, then go back after the season timing stip ended this sur permanent underground line and remove the gas generator **Raptor Nest Stipulations**: BLM neither approved or deni address failing oil well pump, but referred to FWS as potential unoccupied raptor nest; the nest remained unoccupied and we d **Raptor Nest Stipulations**: we were unable to perform wo raptor stips, while the pipeline gathering company ran a line pa

	raptor nest/tree because it was on private surface so no BLM/fe raptor nest stips for the pipeline company **APD Raptor Controls:** BLM added APD Condition of A install devices to discourage raptor nesting on facilities, while c raptor nest stipulation limitations to on-site activities; this again recent APD, and the COA included the pad and a road; howeve the stip buffer zone of the road, not the pad, and only the pad w to modify the COA for the pad only to remove the raptor nest s require State BLM approval, so we had to ask for an exception makes no sense, as the nest is not within the buffer zone of the

Surface	**Seeding:** BLM added APD requirement for sage brush see
	grouse habitat on private surface; this again occurred on a more
	surface owner would not approve sage brush, so we used a seed
	surface owner and notified the APD of this change
	
	  IM WY-2012-032/Reclamation: BLM added APD requir
	separate/specific document on this Wyoming surface reclamatio
	addressing this IM in the APD Surface Use Plan as we have do
	
	  Waste: Per APD COAs, BLM inspectors looking at gener
	inside buildings on pads on private surface
	
	  Equipment: Again, per APD COAs, BLM inspectors look
	storage on pads on private surface

Tribal Consultation	**Private Surface:** BLM requiring tribal consultation on pri potential site can be avoided; if landowners do not approve, BL APD; we spent approximately $100,000 (including an archaeol a feature near an existing 2-track road, including trying to re-ro would have taken us into a wooded area and also near a sage gr abandoned the proposed well/road as it would have cost approx $100,000 with no guarantee of approval

Greg Schrab, CHMM, CSP

Corporate EH&S Manager

1775 Sherman Street

Suite 1200

Denver, CO 80203

Office: (303) 864-2567

Cell: [redacted] (b)(6)

gschrab@sm-energy.com

SM ENERGY

To: Andrew Casper[andrew.casper@coga.org]
From: Williams, Timothy
Sent: 2017-12-22T10:21:29-05:00
Importance: Normal
Subject: MBTA
Received: 2017-12-22T10:22:06-05:00

The Solicitor's opinion on the Migratory Bird Treaty Act will be released at about 4pm today at https://www.doi.gov/solicitor/opinions

Please do not share or release this information until the Solicitor's opinion is live and online. Below is a rundown of the issue and a summary of what the opinion will say.

Please call me if you need any additional info or have any questions.

Migratory Bird Treaty Act Opinion

The Migratory Bird Treaty Act (MBTA) is a strict liability statute that criminalizes the killing or taking of a migratory bird. It was first enacted in 1918 in response to concerns about the over-hunting of migratory birds that fly back and forth between the United States and Canada from being hunted into extinction.

Since that time, the scope of the MBTA has been expanded to include treaties with Mexico, Japan, and the Soviet Union (now Russia), and to protect a litany of over 1000 bird species – nearly every bird in North America. Beginning in the 1970s, the Department of Justice began prosecuting people and companies under the MBTA for the death of migratory birds as an unintended consequence of otherwise lawful activity, such as applying pesticides to crops or maintaining a wastewater pit.

This application of the MBTA has proven controversial. The strict liability nature of the law, along with the broad definition of "migratory bird," has led to concerns of vagueness, over breadth, and selective prosecution, with a particular emphasis on the oil and gas industry. In practice, the MBTA has also been used to justify extra statutory, "voluntary" guidelines that place additional regulatory burdens on select persons and industries.

Federal courts of appeals have split on the issue, with three generally denying that the MBTA reaches accidental conduct and two holding that it does. On its way out the door, in January 2017, the prior administration issued a Solicitor's Opinion concluding that the MBTA does criminalize accidental conduct. This broad interpretation makes every American a potential criminal, from those who merely drive cars or own buildings with windows, to those who operate windmills or oil facilities.

Our Solicitor's Opinion reverses this radical interpretation, providing greater regulatory certainty by returning to the MBTA to its proper limits: prohibiting actions that have as their purpose the taking or killing of migratory birds.

MBTA Key Points

- The Migratory Bird Treaty Act is a nearly 100-year-old law that, under an 11th hour Obama Administration legal interpretation, turned nearly every American into a potential criminal.
- Rather than prosecuting everyone who owns a cat, drives a car, or owns a home that kills a bird, government relies on prosecutorial discretion to pick winners and losers;

preferred companies, industries, and activities get a free pass, while others get prosecuted or told to comply with burdensome requirements.

- Since prosecution is subject to the whims of the government, the burdens are always in danger of shifting with the political winds – today's all-American industry may be tomorrow's political pariah – casting a chill over the American economy.
- The new Solicitor's Opinion reverses the "incidental take" opinion, which criminalized all actions that killed migratory birds, whether purposeful or not. The Opinion returns to the intent of the law - Interior's action on the MBTA is a victory over the regulatory state.

--

Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015
Cell: [redacted] (b)(6)

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Andrew Casper
Sent: 2017-12-22T10:22:11-05:00
Importance: Normal
Subject: Automatic reply: MBTA
Received: 2017-12-22T10:22:21-05:00

Thank you for your email. I am out of the office, returning Jan. 2. I look forward to returning your message at my earliest opportunity. Happy Holidays !
Thanks, Andrew

From: Williams, Timothy
Sent: 2017-12-22T10:55:52-05:00
Importance: Normal
Subject: MBTA
Received: 2017-12-22T10:56:29-05:00

The Solicitor's opinion on the Migratory Bird Treaty Act will be released at about 4pm today at https://www.doi.gov/solicitor/opinions

Please do not share or release this information until the Solicitor's opinion is live and online. Below is a rundown of the issue and a summary of what the opinion will say.

Please call me if you need any additional info or have any questions.

Migratory Bird Treaty Act Opinion

The Migratory Bird Treaty Act (MBTA) is a strict liability statute that criminalizes the killing or taking of a migratory bird. It was first enacted in 1918 in response to concerns about the over-hunting of migratory birds that fly back and forth between the United States and Canada from being hunted into extinction.

Since that time, the scope of the MBTA has been expanded to include treaties with Mexico, Japan, and the Soviet Union (now Russia), and to protect a litany of over 1000 bird species – nearly every bird in North America. Beginning in the 1970s, the Department of Justice began prosecuting people and companies under the MBTA for the death of migratory birds as an unintended consequence of otherwise lawful activity, such as applying pesticides to crops or maintaining a wastewater pit.

This application of the MBTA has proven controversial. The strict liability nature of the law, along with the broad definition of "migratory bird," has led to concerns of vagueness, over breadth, and selective prosecution, with a particular emphasis on the oil and gas industry. In practice, the MBTA has also been used to justify extra statutory, "voluntary" guidelines that place additional regulatory burdens on select persons and industries.

Federal courts of appeals have split on the issue, with three generally denying that the MBTA reaches accidental conduct and two holding that it does. On its way out the door, in January 2017, the prior administration issued a Solicitor's Opinion concluding that the MBTA does criminalize accidental conduct. This broad interpretation makes every American a potential criminal, from those who merely drive cars or own buildings with windows, to those who operate windmills or oil facilities.

Our Solicitor's Opinion reverses this radical interpretation, providing greater regulatory certainty by returning to the MBTA to its proper limits: prohibiting actions that have as their purpose the taking or killing of migratory birds.

MBTA Key Points

- The Migratory Bird Treaty Act is a nearly 100-year-old law that, under an 11th hour Obama Administration legal interpretation, turned nearly every American into a potential criminal.
- Rather than prosecuting everyone who owns a cat, drives a car, or owns a home that kills a bird, government relies on prosecutorial discretion to pick winners and losers; preferred companies, industries, and activities get a free pass, while others get

prosecuted or told to comply with burdensome requirements.

- Since prosecution is subject to the whims of the government, the burdens are always in danger of shifting with the political winds – today's all-American industry may be tomorrow's political pariah – casting a chill over the American economy.
- The new Solicitor's Opinion reverses the "incidental take" opinion, which criminalized all actions that killed migratory birds, whether purposeful or not. The Opinion returns to the intent of the law - Interior's action on the MBTA is a victory over the regulatory state.

•

--

Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015
Cell: [redacted] (b)(6)

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Esther Wagner
Sent: 2017-12-22T15:49:47-05:00
Importance: Normal
Subject: Re: MBTA
Received: 2017-12-22T15:49:56-05:00

Hi Tim,
I received your email on this. Thanks so much. I'll be looking for it here shortly.

Happy holidays!

Esther

Sent from my iPhone

On Dec 22, 2017, at 8:56 AM, Williams, Timothy <timothy_williams@ios.doi.gov> wrote:

The Solicitor's opinion on the Migratory Bird Treaty Act will be released at about 4pm today at https://www.doi.gov/solicitor/opinions

Please do not share or release this information until the Solicitor's opinion is live and online. Below is a rundown of the issue and a summary of what the opinion will say.

Please call me if you need any additional info or have any questions.

Migratory Bird Treaty Act Opinion

The Migratory Bird Treaty Act (MBTA) is a strict liability statute that criminalizes the killing or taking of a migratory bird. It was first enacted in 1918 in response to concerns about the over-hunting of migratory birds that fly back and forth between the United States and Canada from being hunted into extinction.

Since that time, the scope of the MBTA has been expanded to include treaties with Mexico, Japan, and the Soviet Union (now Russia), and to protect a litany of over 1000 bird species – nearly every bird in North America. Beginning in the 1970s, the Department of Justice began prosecuting people and companies under the MBTA for the death of migratory birds as an unintended consequence of otherwise lawful activity, such as applying pesticides to crops or maintaining a wastewater pit.

This application of the MBTA has proven controversial. The strict liability nature of the law, along with the broad definition of "migratory bird," has led to concerns of vagueness, over breadth, and selective prosecution, with a particular emphasis on the oil and gas industry. In practice, the MBTA has also been used to justify extra statutory, "voluntary" guidelines that place additional regulatory burdens on select persons and industries.

Federal courts of appeals have split on the issue, with three generally denying that the MBTA reaches accidental conduct and two holding that it does. On its way out

the door, in January 2017, the prior administration issued a Solicitor's Opinion concluding that the MBTA does criminalize accidental conduct. This broad interpretation makes every American a potential criminal, from those who merely drive cars or own buildings with windows, to those who operate windmills or oil facilities.

Our Solicitor's Opinion reverses this radical interpretation, providing greater regulatory certainty by returning to the MBTA to its proper limits: prohibiting actions that have as their purpose the taking or killing of migratory birds.

MBTA Key Points

- The Migratory Bird Treaty Act is a nearly 100-year-old law that, under an 11th hour Obama Administration legal interpretation, turned nearly every American into a potential criminal.
- Rather than prosecuting everyone who owns a cat, drives a car, or owns a home that kills a bird, government relies on prosecutorial discretion to pick winners and losers; preferred companies, industries, and activities get a free pass, while others get prosecuted or told to comply with burdensome requirements.
- Since prosecution is subject to the whims of the government, the burdens are always in danger of shifting with the political winds – today's all-American industry may be tomorrow's political pariah – casting a chill over the American economy.
- The new Solicitor's Opinion reverses the "incidental take" opinion, which criminalized all actions that killed migratory birds, whether purposeful or not. The Opinion returns to the intent of the law - Interior's action on the MBTA is a victory over the regulatory state.

•

--

Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015
Cell: [redacted] (b)(6)

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-01-03T13:06:15-05:00
Importance: Normal
Subject: Get Your Seat for the 2nd Annual Mardi Gras Ball!
Received: 2018-01-03T13:06:36-05:00

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Samantha McDonald
Sent: 2018-01-04T09:46:35-05:00
Importance: Normal
Subject: RE: OCS Conference Call with BOEM
Received: 2018-01-04T09:46:47-05:00

Thanks, Tim!

From: Williams, Timothy [mailto:timothy_williams@ios.doi.gov]
Sent: Thursday, January 4, 2018 9:44 AM
Subject: OCS Conference Call with BOEM

--
Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015
Cell: [redacted] (b)(6)

To: alan@montanapetroleum.org[alan@montanapetroleum.org]
From: Williams, Timothy
Sent: 2018-01-04T16:21:25-05:00
Importance: Normal
Subject: DOI - Contact info
Received: 2018-01-04T16:21:57-05:00

--

Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015
Cell: [redacted] (b)(6)

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Alan Olson
Sent: 2018-01-04T16:26:25-05:00
Importance: Normal
Subject: RE: DOI - Contact info
Received: 2018-01-04T16:26:41-05:00

Tim

Thank you the phone call and contact information.

All of my contact info and website is below.

Alan

Alan Olson, Executive Director
Montana Petroleum Association
PO Box 1186
Helena, Montana 59624

Telephone;
Office 406.442.7582
Cell [redacted] (b)(6)

Email alan@montanapetroleum.org
Website www.montanapetroleum.org

From: Williams, Timothy [mailto:timothy_williams@ios.doi.gov]
Sent: Thursday, January 04, 2018 2:21 PM
To: Alan Olson <Alan@montanapetroleum.org>
Subject: DOI - Contact info

--
Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015
Cell: [redacted] (b)(6)

To: 'timothy_williams@ios.doi.gov'[timothy_williams@ios.doi.gov]
Cc: Diamond Wings[DiamondWings@WyoDiamond.com]
From: Diemer True
Sent: 2018-01-05T10:40:23-05:00
Importance: Normal
Subject: Diamond Wings Articles
Received: 2018-01-05T10:41:07-05:00
A Wyoming bird farmer hopes to raise imperiled sage grouse, but scientists are skeptical _ Energy Journal _ trib.com.html
Diamond Wing flies alone Powell game bird farm only company to apply to be certified to attempt captive breeding of sage grouse.html

Good morning Mr. Williams,
Thanks for reaching out to us about our efforts to raise Greater-Sage Grouse. Here are two recent articles about our part in Wyoming's new initiative to preserve the species.
I would welcome the opportunity to discuss our efforts with you.
Best regards
Diemer True
Managing Member
Diamond Wings Upland Game Birds LLC

Print this page

Diamond Wing flies alone: Powell game bird farm only company to apply to be certified to attempt captive breeding of sage grouse

Written by Mark Davis

January 04, 2018 8:33 am

A male greater sage grouse strut displays for hens on a lek near Heart Mountain last spring. If farm-raised sage grouse in Powell advance to the breeding stage, the grouse would be paired rather than attempting to recreate the natural breeding conditions for the species. Tribune photo by Mark Davis

While Wyoming Game and Fish Commission rules allow for five private game bird farms to attempt captive rearing of the greater sage grouse, only one has applied to the commission for certification.

Diamond Wing Upland Game Birds, LLC, of Powell has been the only private company to apply for certification. Game and Fish commissioners will consider approving its application on Tuesday. Theiranswer should be made public sometime before Jan. 15.

“We’ll be ready,” said Diemer True, a former state senator, member of the Sage Grouse Implementation Team and mineral extraction entrepreneur who owns Diamond Wing. The facility is managed by Powell resident Karl Bear.

“We think we’ve met all their criteria, but this is the first time for all of us — including the Game and Fish. It’s hard to speculate [on approval],” True said.

If certified, Diamond Wing plans to finalize infrastructure renovations to prepare for the spring collection of up to 250 eggs. Gearing up for the prospects will be a large financial commitment, True said. A large portion of the funds have been dedicated to the project by True. He also intends on seeking additional investors.

A recent success story in the captive breeding of sage grouse, according to True, is a small scale victory at the Calgary Zoo. They reportedly started with an initial $5 million budget backed by the Canadian federal government. Diamond Wing is on its own. The Game and Fish isn’t allowed to spend a penny on the project, as stated in regulations.

“If it’s just us standing out there by ourselves, it’s going to be tough,” True said. “We’re seeking other investors to take Diamond Wing beyond just a game bird farm.”

Financing is one of the main reasons for the lack of other applicants, according to Tom Christiansen, Wyoming Game and Fish Department sage grouse program manager. Diamond Wing is the state’s largest game bird farm — including Game and Fish’s own pheasant farms.

Without approval of their application from the Game and Fish, the Wyoming Legislature’s goal of encouraging captive breeding could, at least temporarily, be dead in the water. For many, that would be fine. Wyoming Gov. Matt Mead allowed the law to pass without his signature, writing that he had “considerable reservations.” At the same time, proponents hope the measure may someday open land to mineral extraction, using raised grouse for mitigation and helping the world’s 10th largest producer of energy through a recent bust.

The bust has affected sage grouse conservation as well. Funding for conservation programs were transferred from the state’s general funds to the Wyoming Game and Fish Department, pushing the costs to those buying hunting and fishing licenses.

The 2017 law has a five-year sunset clause, making it difficult for Diamond Wing to reach their goals.

“There’s still time to determine if captive rearing can work, but not time to see if it will work in terms of augmenting populations,” Christiansen said.

Augmenting wild populations is considered to be extremely challenging — if not impossible. Scientists attempting to raise

Attwater's prairie chickens (a type of grouse) have tried to lift populations of the extremely endangered species in southern U.S. states for decades, spending millions with federal backing, and have yet to succeed in increasing wild populations.

"I don't think it's going to work," said Brian Rutledge, Central Flyway Conservation Strategy and Policy Adviser for the Audubon Rockies, the regional office of the National Audubon Society serving Wyoming and Colorado.

Rutledge doesn't think attempts should be made, arguing captive breeding efforts distract from efforts supported by most in the scientific community.

"It's like treating a cancer by cutting off abed sore," he said.

Rutledge has decades of experience with endangered species, overseeing captive breeding programs at zoos and working within the Endangered Species Act (ESA).

"When I was breeding endangered species, it was because they were extirpated in the wild," Rutledge said. "We should be trying to restore the habitat's carrying capacity. Lifting sage grouse [populations] is dependent on habitat."

Department of Interior (DOI) Secretary Ryan Zinke has announced plans to rework an 11-state collaborative plan that was aimed at saving the sage grouse from being listed as an endangered species.

Mead has been openly critical of Zinke's new strategy, worrying that it places too much of a focus on population targets and captive breeding.

"Industry needs predictability, but the report does not explain fully how population targets provide that certainty," Mead said in an August statement.

Bear, with decades of practical experience raising wild game birds, isn't going to allow critics to bring him down.

"It's very controversial," he said. "In 2008, they said captive breeding couldn't be done. Now that there have been small scale successes in captive breeding, they're saying augmenting wild populations can't be done. The bar keeps getting raised."

True is confident in Bear's ability and has also added Taylor Environmental Consulting (TEC) to the team. The Casper-based company is headed up by wildlife biologist Renee Taylor, who has been working on sage grouse issues since the statewide effort began in 1999.

"It's a whole new deal — a grand experiment," Taylor said.

Taylor will assist in the process, from collecting eggs to possible releases. Taylor has worked extensively with energy companies looking to do business in the sagebrush sea. Wyoming has 26 percent of the U.S. sagebrush habitat and 37 percent of the nation's population of sage grouse.

Bear has raised manywild bird species, all with their own intricate needs. He's gained the confidence of Christiansen, who has little doubt Bear can raise chicks from the collected eggs, should he get the chance.

"He's good at what he does," Christiansen said.

But Christiansen, like Rutledge and Mead, is still a proponent of habitat conservation as the best way to save the sage grouse.

"Without habitat, there is no hope. If we're at the point that we need to rely on captive breeding, we have definitely lost," he said.

Rutledge won't be happy even if, against all odds, Diamond Wing is successful.

"I'm opposed to the very idea that our game animals have become a commodity. It runs counter to everything Wyoming has fought for," he said.

True is unsure if Diamond Wing's experiment in captive breeding will meet all of his goals — ultimately ending with the

successful release of captively bred sage grouse that, in turn, breed in the wild.

“This may or may not work. But the state has a vested interest in the experiment,” True said in a Tuesday phone interview. “At this point, if captive breeding doesn’t work, we haven’t lost anything,”

He’s trying not to overthink the work ahead until Diamond Wing is certified. Success is a daunting task, True said. If the lone application is approved by the commission, they’ll kick into high gear. The business’ only expectation is to give it their best effort; their hopes of success, at this point in the process, is mostly unspoken.

“At first you’re totally intimidated, until one day you crawl on that horse and realize you can ride,” True said.

Be the first to comment!

×

We hope you have enjoyed your complimentary access for the month.

Already a subscriber?

Click on the button below to set up your account or log in if you already have one.

Want to become a subscriber?

Purchase a digital-only subscription now for unlimited online access to local news and information.

Digital-only Access

- Unlimited Access to:
  - trib.com
  - mobile web and mobile apps
  - e-replica edition of printed newspaper

Digital-only access only $12.00/mo

Current Subscriber?

Set up your account

Log In

Current Subscriber?

Set up Account

You are the owner of this article.
Edit Article Add New Article

- Facebook
- Twitter
- Instagram

Subscribe

- Sign Up
- Log In

- Dashboard
- Logout

  - ○ My Account
  - Dashboard
  - Profile
  - Saved items
  - ○ Logout

- Contact us
- Customer Service

Sections

News

- Casper
- Wyoming
- Crime & Courts
- Education
- National
- World

Sports

- High School
- University of Wyoming
- Casper College
- Rodeo

Business
Comics, Games & Puzzles

- Comics
- Games & Puzzles
- Horoscopes

Energy
Entertainment

- Movies
- Music

Lifestyles

- Food and Cooking
- Health, Medicine and Fitness
- Home and Garden
- Pets

Obituaries
Opinion

- Editorial
- Letters
- Columns
- Submit a Letter

Outdoors
Politics
Travel
Weather
Casper Journal
Buy & Sell

- Business Directory
- Classifieds
- Place an Ad

- Newspaper Ads

Smart Change: Personal Finance
Weekly Ads
Auto
Homes
Jobs
Podcasts
Photo Galleries
e-Edition
Contact Us
Contests
Newsletter Sign-up
Toggle navigation Menu

- Search

Subscribe

- Search

- Log In Using Your Account

Log In
Don't have an account? Sign Up Today

- My Account
- Dashboard
- Profile
- Saved items
- Logout

- **20°**
- 82601

Casper, WY (82601)

Today

Mainly clear.

Tonight

Clear skies. Low 13F. Winds SW at 10 to 20 mph.

Updated: January 2, 2018 @ 4:53 pm

- Full Forecast

- News
- Sports
- Arts

Buy Now

Karl Bear, owner of the Diamond Wings Upland Game Birds Farm in Powell, walks through one of his enclosures for chukar partridges Tuesday morning, Dec. 12, 2017.

- Josh Galemore, Casper Star-Tribune

Buy Now

Chukar partridges walk around an enclosure at the Diamond Wings Upland Game Birds Farm Tuesday morning, Dec. 12, 2017.

- Josh Galemore, Casper Star-Tribune

A pheasant wears a mask to keep it from pecking and attacking other birds in its enclosure at the Diamond Wings Upland Game Birds Farm.

- Josh Galemore, Casper Star-Tribune

Buy Now

A llama walks by a building at the Diamond Wings Upland Game Birds Farm being prepared to house Sage Grouse Tuesday morning, Dec. 12, 2017.

- Josh Galemore, Casper Star-Tribune

A greater sage grouse stands at the Seedskadee National Wildlife Refuge in Wyoming.

- U.S. Fish and Wildlife Service

- Facebook
- Twitter
- Email
- Print
- Save

prev
next

A Wyoming bird farmer hopes to raise imperiled sage grouse, but scientists are skeptical

- Heather Richards 307-266-0592, Heather.Richards@trib.com

Heather Richards

- Dec 30, 2017Updated6 hrs ago
- 8

- Facebook
- Twitter
- Email

Buy Now

Karl Bear, owner of the Diamond Wings Upland Game Birds Farm in Powell, walks through one of his enclosures for chukar partridges Tuesday morning, Dec. 12, 2017.

- Josh Galemore, Casper Star-Tribune

Buy Now

Chukar partridges walk around an enclosure at the Diamond Wings Upland Game Birds Farm Tuesday morning, Dec. 12, 2017.

- Josh Galemore, Casper Star-Tribune

Buy Now

A pheasant wears a mask to keep it from pecking and attacking other birds in its enclosure at the Diamond Wings Upland Game Birds Farm.

- Josh Galemore, Casper Star-Tribune

Buy Now

A llama walks by a building at the Diamond Wings Upland Game Birds Farm being prepared to house Sage Grouse Tuesday morning, Dec. 12, 2017.

- Josh Galemore, Casper Star-Tribune

A greater sage grouse stands at the Seedskadee National Wildlife Refuge in Wyoming.

- U.S. Fish and Wildlife Service

prev
next

- Facebook
- Twitter
- Email
- Print
- Save

POWELL — Karl Bear walked towards the back of a chukar pen to the sound of half-hearted applause. Dozens of partridges beat their wings nervously, crowding against one another and against the rear fence.

By ones and twos, birds made a break for it, winging past the round-shouldered man in the denim shirt, until all the birds were in the air, launching themselves toward the front of the pen. Bear hunched down with a grin.

Bear is a bird farmer in Powell, but he grew up in sage grouse country on the northern edge of Montana. He has watched the famous bird blink out in the wild and read about the political and environmental controversy of saving the grouse from further declines.

And he's asked himself, could a farmer approach the sage grouse question from a new angle and perhaps do his part in keeping the bird from an endangered species listing?

"I don't have a lot of biology background," Bear said. "But I've worked with birds for the last 22 years."

The whole affair has conservationists and biologists in the state shaking their heads. They've pushed back on the idea of captive rearing sage grouse since Bear and his financial backer, oilman Diemer True, pressed the Wyoming Legislature for the opportunity.

"My thoughts on captive breeding the bird is it's a waste of time, a waste of energy and a waste of money," said sage grouse biologist Matt Holloran.

But True and Bear have been dogged in their attempt.

If the state's wildlife agency gives the go-ahead, Diamond Wings Upland Game Birds will test the first sage grouse captive breeding program in Wyoming in a matter of months. By spring thaw they could be collecting wild eggs and bringing them to incubators in Powell, where, fingers crossed, Bear's chicks will hatch, grow to maturity and breed.

But it's about more than just an experiment in bird rearing. In recent months the controversy of captive breeding has come to the fore of a much larger sage grouse debate as new political leadership takes aim at regulations that hamper the key industries of the West, the economic drivers of Wyoming. Interior Secretary Ryan Zinke mentioned captive breeding as a possible approach to failing populations when heralding a massive sage grouse management review mid-summer. And diverse voices from biologists to Gov. Matt Mead have discouraged it as a path to failure for saving the imperiled bird.

For the farmer in a chukar pen in northwest Wyoming, the debate is distant and frivolous. The birds are in decline, why not try to grow more?

"You very well could learn some things. My concern is, what are you going to learn that is not basically already known?" — Matt Holloran, sage grouse biologist

Saving the grouse has been a longstanding challenge in Wyoming, home to about 40 percent of the bird's population. Its declining numbers brought the risk of an endangered species listing, which in turn threatened strict rules on oil and gas development, ranching and mining.

Wyoming's economy is heavily dependent on those industries, but its people are variously proud of Wyoming's wildness, its oil, gas and ranching heritage and its conservation efforts.

The sage grouse sits at a cross section of these conflicting values. It's also the canary in the proverbial coal mine.

If the birds are in decline, you can assume that Wyoming's sage brush ecosystem is, too, said Halloran, the sage grouse biologist.

Any research about this bird and its habitat in Wyoming is likely to turn up some of Halloran's work. He's been studying sage grouse in Wyoming since the mid-'90s, around the time when the bird's dropping numbers started toalarm the scientific community. He's an expert in the ways sage grouse respond to development and the ways to mitigate against disturbances like oil and gas drilling.

And he is dead set against what True and Bear are planning to do. He doesn't believe they've thought it through.

There are a handful of important figures in sage grouse research in Wyoming and with the state's record of working across disciplines to conserve the bird, they all know each other. Every debate that reaches the public ear has already been hashed out in hallways and hotel lobbies across the state. The Powell farm is no different.

"This has been my argument to [True]," Halloran said. "Focus on the gaps in our knowledge, and there is no (such) focus."

The grouse farm, as far as Halloran can tell, won't answer any of the mysteries that exist about sage grouse, and it doesn't complement the habitat protections Wyoming is known for.

Wyoming led the charge on protecting the grouse by taking a broad view of the landscape. The Wyoming way, mimicked in federal land use plans that now hang in limbo, identifies areas that should prioritize the grouse and those where other uses like oil and gas take precedence. Controversial at first, the approach pleases scientists like Halloran who say there isn't a sage grouse numbers problem but a sage grouse habitat problem. Industries and ranchers may not agree on some of the hoops they are asked to jump through when drilling or grazing in sage grouse territory, but they've been instrumental in hashing out this compromise to protect the bird.

Captive breeding is generally a hail Mary for a dying species. So it worries biologists committed to improving habitat.

They lost that battle in Wyoming when the Legislature agreed to the five-year trial period for grouse farming. But they dusted off their debating notes when the Interior Department plugged captive breeding earlier this year, part of their push to boost energy development by opening up federal regulations for review and revision.

Though some of the debate has cooled over the last few months, as Wyoming's sage grouse leaders sat down to the business of discussing change, environmental groups say the federal government has taken a path that is not supported by their years of research on the grouse. and, they are confident that the way forward from the Interior Department's perspective is a way backwards to conservationists.

The Powell farm may be a small effort by a few people, but it's linked to this larger disagreement for some.

There's a valid concern about the approach by Diamond Wings, said Halloran, but just how worrisome the farm is in the larger context of sage grouse management, he wasn't sure.

"I don't know that I'm overly concerned with the one farm in Powell," he said. "I think that it's a bad precedent, and it has the potential to refocus our efforts. We cannot have that happen right now."

"This is not a silver bullet." – Diemer True, owner of Diamond Wings Upland Game Birds and Diamond Oil and Gas LLC.

There hasn't been a rush of farmers eager to try raising the finicky bird. Though the state's rules allow up to five farms to be certified, only one has so far applied. It's too expensive, with little promise of a financial return, some argue.

Diamond Wings wouldn't be able to do it without the financial support of True, said Bear.

True is a lean and tall figure with a sharp profile. He's is a former state senator and a well-known member of one of Casper's prominent oil and gas families.

Diemer's father, H.A. Dave True, started his first company in Wyoming with a partner in 1954. That firm become True Companies and the family-owned business persists as a myriad of businesses from oil and gas exploration to crude pipelines to ranching.

True sold his share of the family business in 2006 and founded his own firm, Diamond Companies. He has served as chairman of the Independent Petroleum Association of America and the Petroleum Association of Wyoming. He won the Chief Roughneck award in 2008 for a lifetime of promoting the industry.

Saving the grouse goes hand in hand with preserving the future of industry in Wyoming, for True. It's not an unusual perspective. Many of the sage grouse figures in Wyoming are tied to industries. They arguably have the most to lose if sage grouse efforts go haywire. An endangered species listing would hit industry hard and fast.

"Listing the bird has the potential of an annual (negative) economic impact of $5.6 billion across the 11 states that have the bird," True said.

He and Bear forged a friendship when True was a customer, purchasing pheasants and chukers to be released on his property and hunted. In 2016, True bought the farm, kept Bear on to manage it and petitioned lawmakers for a chance to raise sage grouse.

The former Wyoming senator recently joined the state's Sage Grouse Implementation Team as well, a cross section of the various groups interested in sage grouse management in Wyoming, from mining companies to environmental groups.

Like Bear, he believes breeding the bird in captivity could help with the larger problem of declining numbers. It's been done with other animals, from the black-footed ferret to the peregrine falcon, he said.

But he doesn't agree with some who say farming is a distraction from the habitat approach. The existence of those habitat protections allows for experiments like the Powell farm that are another way Wyoming can keep an endangered species listing at bay, he argued, reiterating comments he's made in recent months standing before the Game and Fish Commission and in public meetings on sage grouse farming.

"This is not a silver bullet," he said. "I think people misunderstand that."

"The whole point in doing this is that we are at a point where the bird is not in great jeopardy, we have enough birds where we can try some things. – Bob Budd, chairman of the Sage grouse Implementation Team.

Talk of captive breeding from the head of the Interior Department created a panic in the conservation community earlier this year.

Bob Budd, chairman of the state's Sage Grouse Implementation Team has been preaching calm ever since.

Whether it's captive breeding or population targets, Wyoming's approach to managing this bird is not going to be derailed, he said.

"I don't anticipate we are going to change (dramatically)," he said. "The reason is pretty simple: It's worked."

He said he's skeptical of the Powell experiment for some of the same reasons biologists are. But there's no harm in them trying, he said.

"I think it's one attempt by someone who wants to see if they can do it," he said. "We are open minded (in Wyoming) and are willing to take risks that are calculated."

Other key figures in Wyoming's sage grouse round table are also willing to give Bear and the bird farm a shot. In fact, the attempt to hatch chicks isn't much of a challenge.

That part's been done, at the Calgary Zoo in Canada most recently, and for the last two decades by scientists studying the imperiled Attwater's prairie chicken in Colorado.

“It won’t surprise me to see the folks have success actually raising birds in captivity,” said Tom Christiansen, the sage grouse program coordinator for the Wyoming Game And Fish Department.

“I think the Bears have shown their interest, their passion, their capability of raising captive game birds,” he said. But the real problem with captive breeding, and the challenge if it is ever a necessity for grouse in Wyoming, is that the birds don’t survive in the wild, Christiansen said.

They don’t adapt and there are a host of unknowns that come along with releasing captive birds into the wild, from disease risks to watered down genetics.

There hasn’t been any planning for those challenges, yet, he said.

Game and Fish was tasked by the Legislature to develop the rule book for sage grouse farming and it’s also the leading agency in Wyoming’s effort to protect the bird’s habitat.

There’s no harm in knowing more about captive rearing the grouse, particularly while the population is still arguably healthy enough to withstand eggs being taken from wild nests, Christiansen said.

But like most biologists, Christiansen said captive breeding is an end of the line effort, not a conservation strategy.

“If we actually ever needed to apply it, it’s going to be a sad story,” he said. “It will mean we have failed.”

“I don’t have all the answers.” — Karl Bear, Powell bird farmer

It was a cold afternoon outside of Powell in mid-December. Bear made his rounds on the Diamond property, a quaint farmhouse at the intersection of two country roads, surrounded by fields the color of dust.

The bird pens, connected by corridors that lead to the barns, look like the grounds of an old nursery. Instead of roses, the greenhouse-like yards topped with netting house brightly plumed pheasants and quick-moving chukars.

Bear has a number of options for where he’ll place the sage grouse if he gets the chance. A breeding area here, a hatching area there. Knowing the habitat demands of the bird, he’s let a field go wild with brush for a future flock of grouse. He and True recently submitted their application to the Game and Fish Department. But they haven’t started the work of preparing sage grouse pens or converting buildings for the bird. They are waiting for state approval before they invest.

Bear said he’s not sure how much this will cost. True declined to speculate. But the Calgary Zoo is spending about $5 million on its captive program, Bear said.

The five-year window for trying bird farming, as per the Legislature, is already down to four years without a single egg collected from the wild.

The groundwork is laid, but it’s an admittedly tight timeline, Bear said. He’s banking on his experience learned from other birds to lead him through. His strategy, since the family started bird farming in 1995, has been trial and error, he said.

“We’ve raised a lot of different birds and they all have their unique little deal about them,” he said. “You’ve got to learn.”

In some ways the grouse’s behavior will differ. Biologists say it needs sage brush to eat, whereas pheasants and chukars eat corn and enriched pellets. In other areas, raising grouse will be much the same, he expects. The incubator system set up for the game birds, which gently rocks the eggs to simulate a hen’s movements and keeps humidity and temperature at a perfect pitch, should work for grouse as well.

He’s is aware of the push back, and it disheartens him.

Driving his pickup through the beet field that separates the hatchery and the bird pens, he wondered at the mentality of those who don’t want him to go forward, or are convinced that he’ll fail.

“It is controversial, the privatizing of wildlife, I understand that,” Bear conceded of the broader issues with captive breeding the wild bird.

Then he rallied, debating strategies with himself, throwing out ways he could collect the bird eggs without damaging wild nests. Maybe instead of using dogs to find clutches, they can radio collar hens at night when the birds are calm and docile, he said. Then picking up eggs will be as easy as coming back later.

“I think we are going to overcome a lot of [debates],” he added. “But we’ll never know until we try.”

Follow energy reporter Heather Richards on Twitter @hroxaner

More information

Now that sage grouse farming is a law, experts debate the logistics

Captive rearing of sage grouse in Wyoming moved forward Friday in Casper, when members of the Wyoming Sage Grouse Implementation Team weighed …

Heather Richards

Heather Richards writes about energy and the environment. A native of the Blue Ridge Mountains in Virginia, she moved to Wyoming in 2015 to cover natural resources and government in Buffalo. Heather joined the Star Tribune later that year.

Follow Heather Richards
Close

Followed notifications

Please log in to use this feature

Log In
Don't have an account? Sign Up Today
Load comments
×

Post a comment as

Emoticons
• •
Comment Text
Cancel
Post comment

×

Report

Cancel
Report Abuse

×

Watch this discussion. Stop watching this discussion.

Get an email notification whenever someone contributes to the discussion
Notifications from this discussion will be disabled.
Cancel
Start watching Stop watching

(8) comments

WyoBobDec 30, 2017 7:55pm

Good luck Mr. True and Mr. Bear. I don't know if you will succeed but I am glad to see someone that is willing to try and learn something before it is too late.
I don't believe your success will imperil conservation efforts or stop habitat improvement projects from being planned and implemented.
Thanks for having the courage to step up even when facing overwhelming resistance. I have always believed that knowledge is powerful.

Report Add Reply
MtpocketsDec 31, 2017 12:00am

I think they will have success with the captive breeding its certainly worth trying.

Report Add Reply
pappyDec 31, 2017 8:48am

the question the reporter didn't ask is, if they are bale to raise them, will the survive when released in the wild? Most pen

raised birds son't survive long when released to the wild. They may have to raise and release thousands just to get a few to survive. if they do survive will they breed in the wild?

Report Add Reply
WyoBobDec 31, 2017 9:46am

pappy that will be the real test. Can they get pen raised birds to survive and reproduce in the wild? I believe that since sage grouse gather at Leks to court and reproduce, it might be easier than most think. If we can use them to create new Lek sites, that would be even more important. There are a lot of challenges but I also believe there could be a lot learned from their efforts.

Report Add Reply
dennisellisDec 31, 2017 9:42am

?You very well could learn some things. My concern is, what are you going to learn that is not basically already known?? ? Matt Holloran, sage grouse biologist. What a disappointing quote from a gifted researcher and scientist. Isn't the point of the scientific method to always expand knowledge thru experimentation? I realize this endeavor is a threat to UW research funding and govt control over the science, but the notion that if the govt doesn't do it, it can't be done, just isn't true.

Report Add Reply
Jeff Hammer Dec 31, 2017 10:09am

Sage grouse do just fine if there is suitable habitat and the weather cooperates without any help from us humans. If there is no habitat, to think that pen-raised birds will even supplement wild born birds is ludicrous. Healthy populations of sage grouse need vast areas of their natural habitat. The prevention of development and habitat fragmentation is what we need to focus on and put our money toward. We can't change the weather, but we (citizens and politicians collectively) can decide that sagebrush habitat is important enough to save.

Report Add Reply
shootbrownelkDec 31, 2017 10:22am

Putting more birds into dwindling habitat is doomed to failure. How will Bear get insects for the chicks to eat after he hatches them? How will these pen raised birds adapt to habitat that is foreign to them? True is bankrolling this scheme so he can still operate in critical grouse habitat without regard to the birds needs.

Report Add Reply

HammerslammerDec 31, 2017 11:59pm

Good points Elk. Doubtful they'll get pen raised birds to survive in the wild. And without enough habitat, it'll be two strikes and you're out.

Report Add Reply

Welcome to the discussion.

Log In

Keep it Clean. Please avoid obscene, vulgar, lewd, racist or sexually-oriented language.
PLEASE TURN OFF YOUR CAPS LOCK.
Don't Threaten. Threats of harming another person will not be tolerated.
Be Truthful. Don't knowingly lie about anyone or anything.
Be Nice. No racism, sexism or any sort of -ism that is degrading to another person.
Be Proactive. Use the 'Report' link on each comment to let us know of abusive posts.
Share with Us. We'd love to hear eyewitness accounts, the history behind an article.

Post a comment
Watch this discussion. Stop watching this discussion.

Most Popular

- **Volunteers with chainsaws and lassos rescue herd of elk that fell through the ice on Wyoming reservoir**
- **Man dies in wreck near Kelly Walsh High School**
- **Officials identify Casper man who died in crash outside high school**
- **Three arrested during drug sting outside of Casper fast food restaurant face felony charges**
- **Wyoming man charged with leaving puppy in dumpster**

- Facebook
- Twitter
- Instagram

- WyoVarsity
- Pokes Authority
- Casper Journal

Sites & Partners

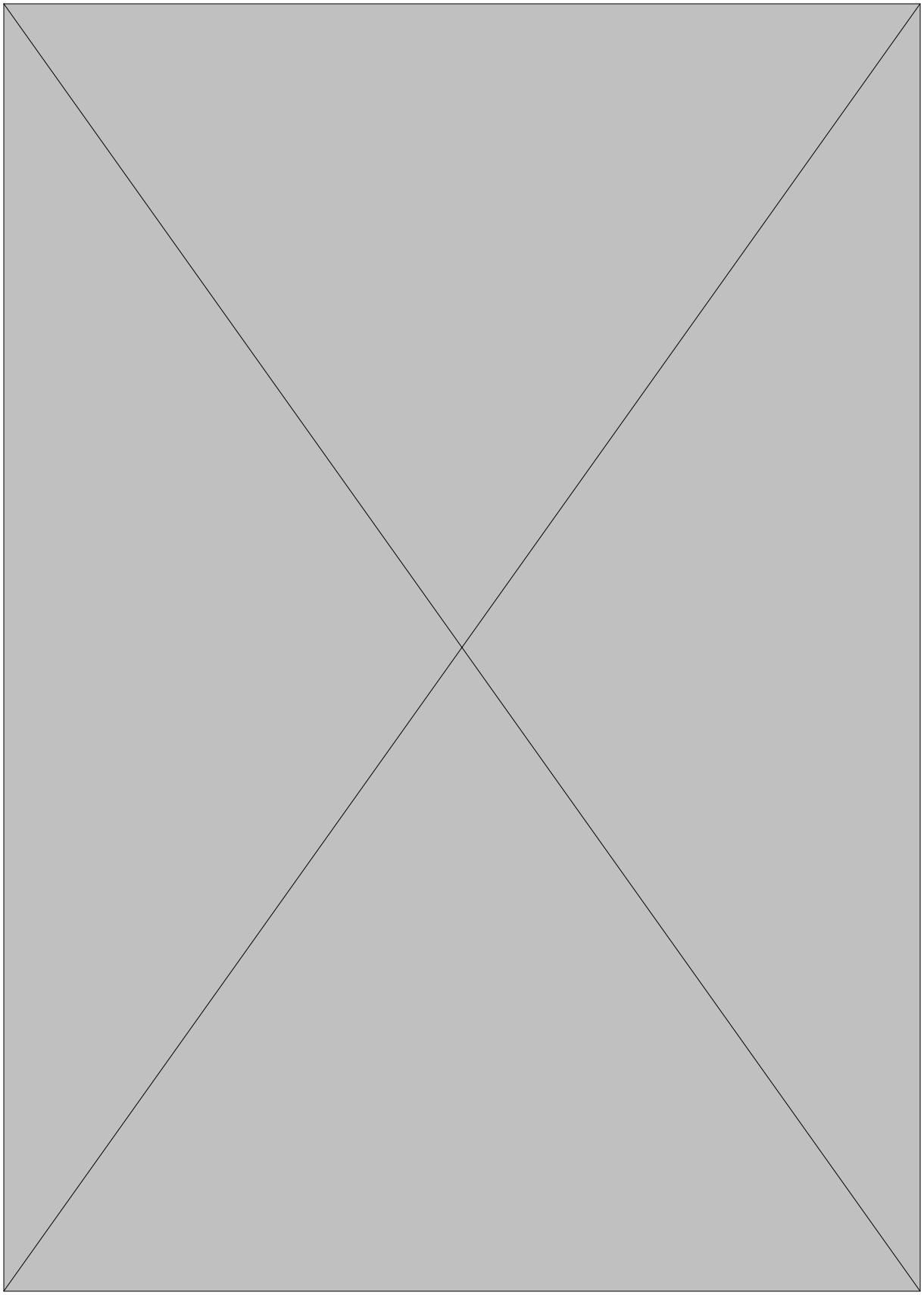
- E-Edition
- Obituaries
- Weather

- Comics
- Puzzles and Horoscopes
- Special Sections
- Town Crier
- Online Features

Services

- Contact Us
- Customer Service
- Subscribe
- Activate Your Subscription
- Email Updates
- Jobs
- Real Estate
- Auto
- Legals
- Other Classifieds
- Advertise
- Work here

To: Jim Cason[James_cason@ios.doi.gov]
From: Rachel McNerney
Sent: 2018-01-12T12:17:12-05:00
Importance: Normal
Subject: COGA Mardi Gras Ball | Nominations for Community Impact Awards
Received: 2018-01-12T12:17:22-05:00



To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Alan Olson
Sent: 2018-01-16T17:49:20-05:00
Importance: Normal
Subject: Possible Joe Balash visit
Received: 2018-01-16T17:58:06-05:00

Tim,

Would it be possible for Assistant Secretary Joe Balash to keynote our Petroleum Industry Appreciation Lunch in Billings, MT on August 29th? We generally have 250-300 people in attendance.

Thanks,
Alan

Alan Olson, Executive Director
Montana Petroleum Association
PO Box 1186
Helena, Montana 59624

Telephone;
Office 406.442.7582
Cell [redacted] (b)(6)

Email alan@montanapetroleum.org
Website www.montanapetroleum.org

To: Alan Olson[Alan@montanapetroleum.org]
From: Timothy Williams
Sent: 2018-01-16T18:02:49-05:00
Importance: Normal
Subject: Re: Possible Joe Balash visit
Received: 2018-01-16T18:17:40-05:00

I will check

Timothy Williams
External and Intergovernmental Affairs
Department of the Interior
Cell: [redacted] (b)(6)

On Jan 16, 2018, at 5:49 PM, Alan Olson <Alan@montanapetroleum.org> wrote:

Tim,

Would it be possible for Assistant Secretary Joe Balash to keynote our Petroleum Industry Appreciation Lunch in Billings, MT on August 29th? We generally have 250-300 people in attendance.

Thanks,
Alan

Alan Olson, Executive Director
Montana Petroleum Association
PO Box 1186
Helena, Montana 59624

Telephone;
Office 406.442.7582
Cell [redacted] (b)(6)

Email alan@montanapetroleum.org
Website www.montanapetroleum.org

<image001.png>

To: Timothy Williams[timothy_williams@ios.doi.gov]
From: Alan Olson
Sent: 2018-01-16T18:37:17-05:00
Importance: Normal
Subject: RE: Possible Joe Balash visit
Received: 2018-01-16T18:38:23-05:00

Thanks Tim

Sent from my Verizon Wireless 4G LTE smartphone

-------- Original message --------
From: Timothy Williams
Date:01/16/2018 4:03 PM (GMT-07:00)
To: Alan Olson
Subject: Re: Possible Joe Balash visit

I will check

Timothy Williams
External and Intergovernmental Affairs
Department of the Interior
Cell: [redacted] (b)(6)

On Jan 16, 2018, at 5:49 PM, Alan Olson <Alan@montanapetroleum.org> wrote:

Tim,

Would it be possible for Assistant Secretary Joe Balash to keynote our Petroleum Industry Appreciation Lunch in Billings, MT on August 29th? We generally have 250-300 people in attendance.

Thanks,
Alan

Alan Olson, Executive Director
Montana Petroleum Association
PO Box 1186
Helena, Montana 59624

Telephone;
Office 406.442.7582
Cell [redacted] (b)(6)

Email alan@montanapetroleum.org

Website www.montanapetroleum.org

<image001.png>

To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]
From: Montana Petroleum Association
Sent: 2018-01-18T14:31:03-05:00
Importance: Normal
Subject: Podcast - Montana Petroleum Report - Audio Edition with Alan Olson
Received: 2018-01-18T14:31:35-05:00

Podcast - Montana Petroleum Report - Audio Edition with Alan Olson

Email not displaying correctly? Click here to view it in your browser.

January 18, 2018

The Montana Petroleum Report provides information of interest to Montanans. We encourage you to forward this e-letter to your friends. — Alan Olson, Executive Director www.montanapetroleum.org

Montana Petroleum Report – Podcast

In this audio edition of the Montana Petroleum Report,
Jessica Sena visits with Alan Olson about:

Oil Prices
BLM Leases
Sage Grouse
Pipelines

(Find accompany text and additional links below)

Oil Prices - The U.S. petroleum industry is still ringing in the New Year with much to celebrate. Oil prices are at highs not seen since late 2014 and the forecast for 2018 is looking good.

According to the U.S. Energy Information Administration (EIA), operators are projected to increase overall domestic oil production by 10 percent, elevating output to more than 10

million barrels per day and surpassing the previous all-time high. With WTI price above $60 a barrel, the current outlook seems to be delivering just what every displaced oilfield worker and strapped owner/operator has been wishing for since the latest downturn.

Coupled with a Trump-sized regulatory rollback, 2018 promises to be a "YUUUGE" year for oil and natural gas, barring turmoil overseas or dramatic changes to output by OPEC and Russia. EIA projections expect U.S. LNG exports to average about 3 bcfd (billion cubic feet per day) this year, up from 1.9 bcfd in 2017.

BLM Leases – Recently, the Bureau of Land Management's Butte Field Office announced a possible auction of 63,496 acres of federal public land for petroleum leases, with more than 4,000 acres of land in Park County.

Environmental groups were quick to petition, filing an administrative appeal. Park County Environmental Council and local landowners (Livingston) worry that potential drilling would negatively impact the tourism economy in the area.

The formal protest period on the proposed parcels ends this week.
See more here.

Sage grouse – Since Governor Bullock signed an executive order (no. 10-2014) creating the Montana Sage Grouse Oversight Team and the Montana Sage Grouse Habitat Conservation Program, and the 2015 Legislature passed the Montana Greater Sage Grouse Stewardship Act to establish the Sage Grouse Stewardship Account, little has been done to move the ball forward through the Oversight Team.

As changes loom at the federal level, Montana has yet to approve a Habitat Quantification Tool to determine debits (impacts) and credits (conservation/improvements).

Feds will no longer prioritize oil and gas leasing outside of imperiled bird habitat
Interior Decision Nears on Sage Grouse Plans

Without the HQT, projects face unnecessary delays and costs associated with waiting for the "go ahead".

Pipelines – Montana received exciting news from MPA Member, ONEOK, which has proposed a 900-mile pipeline to transport up to 240,000 barrels per day of unfractionated natural gas liquids (NGL) from Sidney, Montana to Kansas. The proposal couldn't be timelier, as record oil production in the Bakken may be threatened by the current threshold on flared natural gas at well sites - a problem far greater in North Dakota than in Montana, where the state regulatory agency (Montana Board of Oil and Gas Conservation) boasts a more than 90% capture rate.

ONEOK Inc. to build $1.4 billion natural gas pipeline system

The estimated price tag on the Elk Creek Pipeline (and associated infrastructure) is $1.4 billion dollars.

North Dakota oil output cut back to meet gas capture rules
North Dakota expects to hit oil production record in 2018

Another MPA member, Denbury Resources, has also been working on a pipeline project to carry CO_2 from the Powder River Basin into developed oilfields in the Cedar Creek Anticline.

This project is perhaps the largest of the Petroleum Association's members impacted by new sage grouse stipulations.

Montana Pipeline Proposed to Transport CO_2 for Oil Recovery

The proposed Cedar Creek Anticline Pipeline will start in the Bell Creek oil field in Powder River County, Wyoming, and span 110 miles through Carter County into Fallon County, Montana. The pipeline will transport up to 400 million standard cubic feet of compressed carbon dioxide (CO_2) per day for enhanced oil recovery (EOR).

The exact timing and schedule of the flood depends on future oil prices, permitting, and availability of CO_2.

Last fall, MPA submitted comments in support of the pipeline to the BLM; *CO_2 EOR operations provide a responsible method of utilizing CO_2, including underground storage of otherwise emitted sources of CO_2 into the atmosphere. Because of the enhanced recovery capability of this method, there is also the benefit of less wasted oil reserves; those which would remain trapped without a source of recovery.*

####

The Montana Petroleum Association is a non-profit trade association representing the nearly two hundred businesses which work to facilitate energy production in Montana. These include integrated and independent producers; lease operators; service providers; pipeline companies; refineries; as well as professional entities providing legal, financial, and additional regulatory support to the oil and natural gas industry.

Our mailing address is:
Montana Petroleum Association, Inc
PO Box 1186
Helena, MT 59624

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Esther Wagner
Sent: 2018-01-26T15:45:50-05:00
Importance: Normal
Subject: Automatic reply: BOEM Reschedules Public Meetings for 2019-2024 National OCS Offshore Oil and Gas Leasing Program
Received: 2018-01-26T15:52:45-05:00

Thank you for your email. I am out of the office until Tuesday, January 30, 2018. I will respond to emails upon my return.

Esther

To: casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]
From: Samantha McDonald
Sent: 2018-01-30T10:05:35-05:00
Importance: Normal
Subject: Chance to chat?
Received: 2018-01-30T10:05:47-05:00

Casey,

Do you happen to have a few seconds to chat? 202-857-4702

Samantha McDonald
Director of Government Relations
Independent Petroleum Association of America
(202)857-4722 / Visit IPAA / Visit ESA Watch

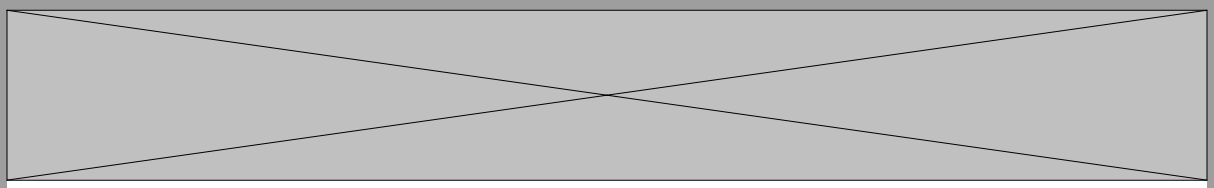
IPAA

INTERNATIONAL PETROLEUM
ASSOCIATION OF AMERICA

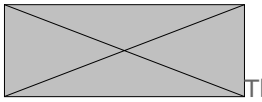
To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]
From: Montana Petroleum Association
Sent: 2018-02-13T18:08:07-05:00
Importance: Normal
Subject: Podcast - SOTU Recap and Follow-Up
Received: 2018-02-13T18:33:39-05:00

Podcast - SOTU Recap and Follow-Up

Email not displaying correctly? Click here to view it in your browser.



February 13th, 2018



The Montana Petroleum Report provides information of interest to Montanans. We encourage you to forward this e-letter to your friends. — Alan Olson, Executive Director www.montanapetroleum.org

Montana Petroleum Report – Podcast

In this audio edition of the Montana Petroleum Report,
Alan Olson and Jessica Sena discuss
the State of the Union:

Tax & Regulatory Reform
Pipelines - Permitting
Vocational Education
(Find accompanying links below)

In this audio edition of the **Montana Petroleum Report**, Jessica Sena and Alan Olson visit about President Trump's first State of the Union Address. While "energy dominance" was not front and center, several other relevant topics were highlighted, including some we've seen recent movement on by the Administration.

Tax Reform
As expected, President Trump lauded tax reform, mentioning a large investment in the energy sector. Exxon Mobil to spend $50 billion in US, citing Republican tax reform (Washington Examiner, Jan. 29)

In the latest Bakken Oil Business Journal, MPA Communications Advisor, Jessica Sena wrote about the tax reform. Check it out! Energy Dominance - Making America Competitive Again (Page 14 - 17)

Beyond tax reform, the Trump Administration has aggressively worked to scale back environmental regulations, from the BLM methane and hydraulic fracturing rules, which Alan discusses in the podcast.

Prior to the State of the Union Address, Neomi Rao, the head of the Office of Information and Regulatory Affairs, spoke at the Brookings Institution. Rao touted plans for regulatory reform. Trump official: Regulators don't have a 'blank check' (CNN Money, Jan. 26) She also highlighted successes of the Administration after the first year - including the repeal of 14 Obama-era rules and wiping out or delaying 860 other rules federal agencies planned to work on in 2018.

Upstream
MPA submitted comments to the DOI on both rules *(methane and HF)*, citing the cumbersome and costly problems each posed to continued oil and natural gas production. Beyond the operational hurdles of each rule, MPA pointed out that states, including Montana, already effectively regulate both fugitive emissions and hydraulic fracturing.

Montana maintains a 95 percent capture rate of natural gas produced as a byproduct at producing oil wells. In 2011, the Board of Oil and Gas Conservation approved rules regulating hydraulic fracturing, including rules related to wellbore integrity. Beyond the administrative rules on hydraulic fracturing, MPA supported legislation on frac fluid disclosure in the 2017 legislature which mirrored rules adopted in Wyoming. The bill (SB 299) passed and was signed into law.

The U.S. currently leads the world in natural gas and oil production, while simultaneously serving as the global leader in cutting energy-related carbon emissions (Detroit News, Jan 1) But new pipelines are needed to move petroleum products to market and to meet capture targets of otherwise flared emissions (natural gas).

Midstream
In the President's State of the Union address, Trump mentioned streamlining the permitting process for building projects. On Monday, Trump unveiled an infrastructure proposal to expedite permitting for pipelines on federal lands. *The changes would deliver "projects in a less costly and more time effective manner by creating a new, expedited structure for environmental reviews and delegating more decision-making to States and enhancing coordination between State and Federal reviews," the proposal says.* Trump infrastructure plan would speed up pipelines, cut environmental reviews (Reuters, Feb. 12)

In case you missed it
ONEOK proposes new 900-mile NGL pipeline from Montana (Tulsa World, Jan. 4)
Montana Pipeline Proposed to Transport CO2 for Oil Recovery (Flathead Beacon, Oct. 2017)
GTUIT SURPASSES ONE MILLION BARRELS OF WELLSITE NGLs (GTUIT, January)

Downstream
While not mentioned in the State of the Union, the administration is considering obstacles faced by the refining sector, including the Renewable Fuel Standard. EPA chief riles ethanol advocates with call for biofuels policy reform (Reuters, Feb. 1)

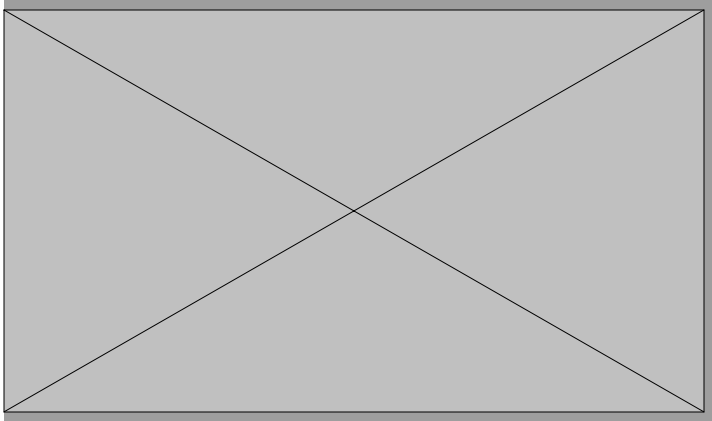
"We need RIN reform," Pruitt said, pointing out RIN prices had risen in recent years. "It is something I've talked to Congress about."

In case you missed it

In a major change in air permitting policy, on January 25, 2018 U.S. EPA reversed its longstanding "once in, always in" policy governing what sources are subject to major source regulations for the emissions of air toxics under Section 112 of the Clean Air Act.
EPA loosens rules on some 'major' air pollution sources (The Hill, Jan. 25) "This guidance is based on a plain language reading of the statute that is in line with EPA's guidance for other provisions of the Clean Air Act," Wehrum said in a statement. "It will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants."

Vocational Education
Ahead of the State of the Union Address, President Trump attended the World Economic Forum in Davos, Switzerland - the first U.S. President to do so since Clinton and only the second to attend in person. President Trump to Davos: 'America Is Open for Business' (White House, Jan. 25)

One issue which received little media attention beyond the Twittersphere *(follow MPA on Twitter #MTpetroleum)* was the WEF panel on education. The following Tweet caught our attention:



As Alan explains in the podcast, vocational education is paramount to growing economies and especially the oil and natural gas industry. A *silver tsunami* of retirees is putting a strain on the labor force and creating shortages in vital sectors of the economy. That's why we were thrilled to hear President Trump's call in the State of the Union to "open great vocational schools."

The petroleum industry is here to stay, and projections are looking optimistic for continued growth. U.S. could overtake Saudi, Russia to become global oil leader this year (Financial Times, Feb. 13) That means more opportunities for everyone from skilled laborers to college graduates.

In 2017, Petroleum Engineering (once again) took the top spot for highest salary potential. The College Degrees With The Fastest And Slowest Growing Salaries 2017 (Forbes, Dec. 7) That's great news for students at Montana's lone university offering the degree, Montana Tech - **Go Diggers!**

In case you missed it
Montana Tech earns top spot in ranking of best value engineering schools (Montana Standard, Feb. 1)

Did you know?!

The Montana Petroleum Association is now on Instagram!
Follow us @montanapetroleum for everyday uses of oil and natural gas.

####

The Montana Petroleum Association is a non-profit trade association representing the nearly two hundred businesses which work to facilitate energy production in Montana. These include integrated and independent producers; lease operators; service providers; pipeline companies; refineries; as well as professional entities providing legal, financial, and additional regulatory support to the oil and natural gas industry.

Our mailing address is:
Montana Petroleum Association, Inc
PO Box 1186
Helena, MT 59624

.

To: casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]
From: Esther Wagner
Sent: 2018-02-16T17:40:09-05:00
Importance: Normal
Subject: FW: FW: Meeting Request
Received: 2018-02-16T17:40:52-05:00

Hi Casey,

Please see my email below regarding trying to schedule an appointment with you. We will be there all day February 28 and the morning of March 1. We have meetings scheduled with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. We will also be meeting with Greg Sheehan on February 28, but don't have confirmation of a time yet. Do you have time available to meet regarding sage-grouse conservation management?

Thanks,

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:33 PM
To: Esther Wagner
Cc: Hammond, Casey
Subject: Re: FW: Meeting Request

Oops -Sorry CC'd now.

On Fri, Feb 16, 2018 at 5:30 PM, Esther Wagner <esther@pawyo.org> wrote:
Thanks, Kate. Do you have an email address for Casey?

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:28 PM
To: Esther Wagner
Subject: Re: FW: Meeting Request

Hey Esther - Connecting you directly with Casey. While I will be out, he would be a great person to meet with - particularly on sage grouse issues.
-Kate

On Fri, Feb 16, 2018 at 4:46 PM, Esther Wagner <esther@pawyo.org> wrote:
Hi Kate,

Per our phone conversation, please see the email string below trying to schedule appointments with you and Casey Hammond. We will be there all day February 28 and the morning of March 1. We have meetings scheduled on these same topics with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. Just as an FYI, attached are the materials we sent to Deputy Secretary Bernhardt.

Thanks so much and have a great weekend.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

This communication is the property of the Petroleum Association of Wyoming and may contain confidential and privileged information. Unauthorized use of this communication and its contents is strictly prohibited and may be unlawful. You should not disseminate, distribute or copy this e-mail without express authorization from the Petroleum Association of Wyoming. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in the reliance on the contents of this information is strictly prohibited.

From: Esther Wagner
Sent: Monday, February 12, 2018 2:16 PM
To: 'Hayes, Joseph'; Valgentina Bolden
Subject: RE: Meeting Request

Thank you for getting back to me, Joe, I really appreciate it.

Penny, I tried to call the number Joe provided below, but it says it's a number that hasn't been activated. Can you please let me know if Kate MacGregor and Casey Hammond have any availability to meet during the week of February 26? As you can see from the email below, we would like to meet with Kate regarding the National Historic Preservation Act (NHPA), Migratory Bird Treaty Act (MBTA) and sage-grouse conservation management; and we would like to meet with Casey regarding sage-grouse conservation management.

I'm also trying to schedule meetings with Brian Steed, Kathleen Benedetto, Kristin Bail and Callie Younger regarding the same topics.

Also, as stated in the email below, the people who plan to attend the meeting(s) with me would be:
David Applegate, Anadarko
Joe Icenogle, Wave Petroleum
Spencer Kimball, EOG Resources.

Thank you for your assistance.

Esther Wagner

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Hayes, Joseph [mailto:joseph.hayes@boem.gov]
Sent: Monday, February 12, 2018 2:03 PM
To: Esther Wagner; Valgentina Bolden
Subject: Re: Meeting Request

Good afternoon,

The ASLM Joe Balash will be on travel Feb 26-28. Kate and Casey's scheduler is Penny who can be reached at 202-208-2197 or vbolden@blm.gov.

Joe H

Joseph G. Hayes
Executive Assistant to the Assistant Secretary Land & Minerals Management
Bureau of Ocean Energy Management
1849 C Street, NW,
Washington, DC 20240
(202) 208-2599

On Thu, Feb 8, 2018 at 10:31 AM, Esther Wagner <esther@pawyo.org> wrote:
Good morning,

The Petroleum Association of Wyoming is planning to make a trip to DC during the week of February 26, 2018. If possible, we would like to have an opportunity to meet with Assistant Secretary for Land and Minerals Joe Balash regarding issues of importance to our members in Wyoming. The topics we would like to discuss include the National Historic Preservation Act, the Migratory Bird Treaty Act, and sage-grouse conservation management. Can you please let me know if he has any availability to meet that week and, if so, what times would work?

Do you also schedule meetings for Katharine MacGregor and Casey Hammond? If so, we would like to meet with Ms. MacGregor regarding all three topics and Mr. Hammond regarding sage-grouse conservation.
Can you please let me know if they have any availability to meet during the week of February 26 and, if so, what times would work? We can do this in one meeting or more depending on schedules. We are also working to schedule meetings with BLM staff regarding the same topics.

The people who plan to attend the meeting(s) with me are:
David Applegate, Anadarko
Joe Icenogle, Wave Petroleum
Spencer Kimball, EOG Resources

Please let me know if you have any questions.

Thank you.

Esther Wagner

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

--
Kate MacGregor
Principal Deputy Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior
1849 C ST NW
Room 6625
Washington DC 20240
202-208-3671 (Direct)

--
Kate MacGregor
Principal Deputy Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior
1849 C ST NW
Room 6625
Washington DC 20240
202-208-3671 (Direct)

To: Esther Wagner[esther@pawyo.org]
From: Hammond, Casey
Sent: 2018-02-20T09:23:25-05:00
Importance: Normal
Subject: Re: FW: FW: Meeting Request
Received: 2018-02-20T09:23:52-05:00

Hello,

Any time on the 28th will work.

Casey

Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

On Fri, Feb 16, 2018 at 5:40 PM, Esther Wagner <esther@pawyo.org> wrote:

Hi Casey,

Please see my email below regarding trying to schedule an appointment with you. We will be there all day February 28 and the morning of March 1. We have meetings scheduled with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. We will also be meeting with Greg Sheehan on February 28, but don't have confirmation of a time yet. Do you have time available to meet regarding sage-grouse conservation management?

Thanks,

Esther

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:33 PM
To: Esther Wagner
Cc: Hammond, Casey
Subject: Re: FW: Meeting Request

Oops -Sorry CC'd now.

On Fri, Feb 16, 2018 at 5:30 PM, Esther Wagner <esther@pawyo.org> wrote:

Thanks, Kate. Do you have an email address for Casey?

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:28 PM
To: Esther Wagner
Subject: Re: FW: Meeting Request

Hey Esther - Connecting you directly with Casey. While I will be out, he would be a great person to meet with - particularly on sage grouse issues.

-Kate

On Fri, Feb 16, 2018 at 4:46 PM, Esther Wagner <esther@pawyo.org> wrote:

Hi Kate,

Per our phone conversation, please see the email string below trying to schedule appointments with you and Casey Hammond. We will be there all day February 28 and the morning of March 1. We have meetings scheduled on these same topics with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. Just as an FYI, attached are the materials we sent to Deputy Secretary Bernhardt.

Thanks so much and have a great weekend.

Esther

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: Esther Wagner
Sent: Monday, February 12, 2018 2:16 PM
To: 'Hayes, Joseph'; Valgentina Bolden
Subject: RE: Meeting Request

Thank you for getting back to me, Joe, I really appreciate it.

Penny, I tried to call the number Joe provided below, but it says it's a number that hasn't been activated. Can you please let me know if Kate MacGregor and Casey Hammond have any availability to meet during the week of February 26? As you can see from the email below, we would like to meet with Kate regarding the National Historic Preservation Act (NHPA), Migratory Bird Treaty Act (MBTA) and sage-grouse conservation management; and we would like to meet with Casey regarding sage-grouse conservation management.

I'm also trying to schedule meetings with Brian Steed, Kathleen Benedetto, Kristin Bail and Callie Younger regarding the same topics.

Also, as stated in the email below, the people who plan to attend the meeting(s) with me would be:

David Applegate, Anadarko

Joe Icenogle, Wave Petroleum

Spencer Kimball, EOG Resources.

Thank you for your assistance.

Esther Wagner

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: Hayes, Joseph [mailto:joseph.hayes@boem.gov]
Sent: Monday, February 12, 2018 2:03 PM
To: Esther Wagner; Valgentina Bolden
Subject: Re: Meeting Request

Good afternoon,

The ASLM Joe Balash will be on travel Feb 26-28. Kate and Casey's scheduler is Penny who can be reached at 202-208-2197 or vbolden@blm.gov.

Joe H

Joseph G. Hayes

Executive Assistant to the Assistant Secretary Land & Minerals Management

Bureau of Ocean Energy Management

1849 C Street, NW,

Washington, DC 20240

(202) 208-2599

On Thu, Feb 8, 2018 at 10:31 AM, Esther Wagner <esther@pawyo.org> wrote:

Good morning,

The Petroleum Association of Wyoming is planning to make a trip to DC during the week of February 26, 2018. If possible, we would like to have an opportunity to meet with Assistant Secretary for Land and Minerals Joe Balash regarding issues of importance to our members in Wyoming. The topics we would like to discuss include the National Historic Preservation Act, the Migratory Bird Treaty Act, and sage-grouse conservation management. Can you please let me know if he has any availability to meet that week and, if so, what times would work?

Do you also schedule meetings for Katharine MacGregor and Casey Hammond? If so, we would like to meet with Ms. MacGregor regarding all three topics and Mr. Hammond regarding sage-grouse conservation.

Can you please let me know if they have any availability to meet during the week of February 26 and, if so, what times would work? We can do this in one meeting or more depending on schedules. We are also working to schedule meetings with BLM staff regarding the same topics.

The people who plan to attend the meeting(s) with me are:

David Applegate, Anadarko

Joe Icenogle, Wave Petroleum

Spencer Kimball, EOG Resources

Please let me know if you have any questions.

Thank you.

Esther Wagner

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

--

Kate MacGregor

Principal Deputy Assistant Secretary - Land and Minerals Management

U.S. Department of the Interior

1849 C ST NW

Room 6625

Washington DC 20240

202-208-3671 (Direct)

--

Kate MacGregor

Principal Deputy Assistant Secretary - Land and Minerals Management

U.S. Department of the Interior

1849 C ST NW

Room 6625

Washington DC 20240

202-208-3671 (Direct)

To: Hammond, Casey[casey_hammond@ios.doi.gov]
From: Esther Wagner
Sent: 2018-02-20T10:15:44-05:00
Importance: Normal
Subject: RE: FW: FW: Meeting Request
Received: 2018-02-20T10:16:00-05:00

Thank you. How about 9:30 am on February 28? Do you have a room available for the meeting? I will have three others with me.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, February 20, 2018 7:23 AM
To: Esther Wagner
Subject: Re: FW: FW: Meeting Request

Hello,

Any time on the 28th will work.

Casey

Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

On Fri, Feb 16, 2018 at 5:40 PM, Esther Wagner <esther@pawyo.org> wrote:
Hi Casey,

Please see my email below regarding trying to schedule an appointment with you. We will be there all day February 28 and the morning of March 1. We have meetings scheduled with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1.

We will also be meeting with Greg Sheehan on February 28, but don't have confirmation of a time yet. Do you have time available to meet regarding sage-grouse conservation management?

Thanks,

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:33 PM
To: Esther Wagner
Cc: Hammond, Casey
Subject: Re: FW: Meeting Request

Oops -Sorry CC'd now.

On Fri, Feb 16, 2018 at 5:30 PM, Esther Wagner <esther@pawyo.org> wrote:
Thanks, Kate. Do you have an email address for Casey?

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:28 PM

To: Esther Wagner
Subject: Re: FW: Meeting Request

Hey Esther - Connecting you directly with Casey. While I will be out, he would be a great person to meet with - particularly on sage grouse issues.
-Kate

On Fri, Feb 16, 2018 at 4:46 PM, Esther Wagner <esther@pawyo.org> wrote:
Hi Kate,

Per our phone conversation, please see the email string below trying to schedule appointments with you and Casey Hammond. We will be there all day February 28 and the morning of March 1. We have meetings scheduled on these same topics with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. Just as an FYI, attached are the materials we sent to Deputy Secretary Bernhardt.

Thanks so much and have a great weekend.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Esther Wagner
Sent: Monday, February 12, 2018 2:16 PM
To: 'Hayes, Joseph'; Valgentina Bolden
Subject: RE: Meeting Request

Thank you for getting back to me, Joe, I really appreciate it.

Penny, I tried to call the number Joe provided below, but it says it's a number that hasn't been activated. Can you please let me know if Kate MacGregor and Casey Hammond have any availability to meet during the week of February 26? As you can see from the email below, we would like to meet with Kate regarding the National Historic Preservation Act (NHPA), Migratory Bird Treaty Act (MBTA) and sage-grouse conservation management; and we would like to meet with Casey regarding sage-grouse conservation management.

I'm also trying to schedule meetings with Brian Steed, Kathleen Benedetto, Kristin Bail and Callie Younger regarding the same topics.

Also, as stated in the email below, the people who plan to attend the meeting(s) with me would be:
David Applegate, Anadarko
Joe Icenogle, Wave Petroleum
Spencer Kimball, EOG Resources.

Thank you for your assistance.

Esther Wagner

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Hayes, Joseph [mailto:joseph.hayes@boem.gov]
Sent: Monday, February 12, 2018 2:03 PM
To: Esther Wagner; Valgentina Bolden
Subject: Re: Meeting Request

Good afternoon,

The ASLM Joe Balash will be on travel Feb 26-28. Kate and Casey's scheduler is Penny who can be reached at 202-208-2197 or vbolden@blm.gov.

Joe H

Joseph G. Hayes
Executive Assistant to the Assistant Secretary Land & Minerals Management
Bureau of Ocean Energy Management
1849 C Street, NW,
Washington, DC 20240
(202) 208-2599

On Thu, Feb 8, 2018 at 10:31 AM, Esther Wagner <esther@pawyo.org> wrote:
Good morning,

The Petroleum Association of Wyoming is planning to make a trip to DC during the week of February 26, 2018. If possible, we would like to have an opportunity to meet with Assistant Secretary for Land and Minerals Joe Balash regarding issues of importance to our members in Wyoming. The topics we would like to discuss include the National Historic Preservation Act, the Migratory Bird Treaty Act, and sage-grouse conservation management. Can you please let me know if he has any availability to meet that week and, if so, what times would work?

Do you also schedule meetings for Katharine MacGregor and Casey Hammond? If so, we would like to meet with Ms. MacGregor regarding all three topics and Mr. Hammond regarding sage-grouse conservation.
Can you please let me know if they have any availability to meet during the week of February 26 and, if so, what times would work? We can do this in one meeting or more depending on schedules. We are also working to schedule meetings with BLM staff regarding the same topics.

The people who plan to attend the meeting(s) with me are:
David Applegate, Anadarko
Joe Icenogle, Wave Petroleum
Spencer Kimball, EOG Resources

Please let me know if you have any questions.

Thank you.

Esther Wagner

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

--

Kate MacGregor
Principal Deputy Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior
1849 C ST NW
Room 6625
Washington DC 20240
202-208-3671 (Direct)

--

Kate MacGregor
Principal Deputy Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior
1849 C ST NW
Room 6625
Washington DC 20240
202-208-3671 (Direct)

To: Esther Wagner[esther@pawyo.org]
From: Hammond, Casey
Sent: 2018-02-20T10:18:20-05:00
Importance: Normal
Subject: Re: FW: FW: Meeting Request
Received: 2018-02-20T10:18:47-05:00

Sounds good. For now let's say 6625, which is my office.

Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

On Tue, Feb 20, 2018 at 10:15 AM, Esther Wagner <esther@pawyo.org> wrote:

Thank you. How about 9:30 am on February 28? Do you have a room available for the meeting? I will have three others with me.

Esther

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, February 20, 2018 7:23 AM
To: Esther Wagner
Subject: Re: FW: FW: Meeting Request

Hello,

Any time on the 28th will work.

Casey

Casey Hammond

Deputy Assistant Secretary for

Land and Minerals Management

Department of the Interior

On Fri, Feb 16, 2018 at 5:40 PM, Esther Wagner <esther@pawyo.org> wrote:

Hi Casey,

Please see my email below regarding trying to schedule an appointment with you. We will be there all day February 28 and the morning of March 1. We have meetings scheduled with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. We will also be meeting with Greg Sheehan on February 28, but don't have confirmation of a time yet. Do you have time available to meet regarding sage-grouse conservation management?

Thanks,

Esther

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:33 PM
To: Esther Wagner
Cc: Hammond, Casey
Subject: Re: FW: Meeting Request

Oops -Sorry CC'd now.

On Fri, Feb 16, 2018 at 5:30 PM, Esther Wagner <esther@pawyo.org> wrote:

Thanks, Kate. Do you have an email address for Casey?

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:28 PM
To: Esther Wagner
Subject: Re: FW: Meeting Request

Hey Esther - Connecting you directly with Casey. While I will be out, he would be a great person to meet with - particularly on sage grouse issues.

-Kate

On Fri, Feb 16, 2018 at 4:46 PM, Esther Wagner <esther@pawyo.org> wrote:

Hi Kate,

Per our phone conversation, please see the email string below trying to schedule appointments with you and Casey Hammond. We will be there all day February 28 and the morning of March 1. We have meetings scheduled on these same topics with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. Just as an FYI, attached are the materials we sent to Deputy Secretary Bernhardt.

Thanks so much and have a great weekend.

Esther

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: Esther Wagner
Sent: Monday, February 12, 2018 2:16 PM
To: 'Hayes, Joseph'; Valgentina Bolden
Subject: RE: Meeting Request

Thank you for getting back to me, Joe, I really appreciate it.

Penny, I tried to call the number Joe provided below, but it says it's a number that hasn't been activated. Can you please let me know if Kate MacGregor and Casey Hammond have any availability to meet during the week of February 26? As you can see from the email below, we would like to meet with Kate regarding the National Historic Preservation Act (NHPA), Migratory Bird Treaty Act (MBTA) and sage-grouse conservation management; and we would like to meet with Casey regarding sage-grouse conservation management.

I'm also trying to schedule meetings with Brian Steed, Kathleen Benedetto, Kristin Bail and Callie Younger regarding the same topics.

Also, as stated in the email below, the people who plan to attend the meeting(s) with me would be:

David Applegate, Anadarko

Joe Icenogle, Wave Petroleum

Spencer Kimball, EOG Resources.

Thank you for your assistance.

Esther Wagner

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: Hayes, Joseph [mailto:joseph.hayes@boem.gov]
Sent: Monday, February 12, 2018 2:03 PM
To: Esther Wagner; Valgentina Bolden
Subject: Re: Meeting Request

Good afternoon,

The ASLM Joe Balash will be on travel Feb 26-28. Kate and Casey's scheduler is Penny who can be reached at 202-208-2197 or vbolden@blm.gov.

Joe H

Joseph G. Hayes

Executive Assistant to the Assistant Secretary Land & Minerals Management

Bureau of Ocean Energy Management

1849 C Street, NW,

Washington, DC 20240

(202) 208-2599

On Thu, Feb 8, 2018 at 10:31 AM, Esther Wagner <esther@pawyo.org> wrote:

Good morning,

The Petroleum Association of Wyoming is planning to make a trip to DC during the week of February 26, 2018. If possible, we would like to have an opportunity to meet with Assistant Secretary for Land and Minerals Joe Balash regarding issues of importance to our members in Wyoming. The topics we would like to discuss include the National Historic Preservation Act, the Migratory Bird Treaty Act, and sage-grouse conservation management. Can you please let me know if he has any availability to meet that week and, if so, what times would work?

Do you also schedule meetings for Katharine MacGregor and Casey Hammond? If so, we would like to meet with Ms. MacGregor regarding all three topics and Mr. Hammond regarding sage-grouse conservation.

Can you please let me know if they have any availability to meet during the week of February 26 and, if so, what times would work? We can do this in one meeting or more depending on schedules. We are also working to schedule meetings with BLM staff regarding the same topics.

The people who plan to attend the meeting(s) with me are:

David Applegate, Anadarko

Joe Icenogle, Wave Petroleum

Spencer Kimball, EOG Resources

Please let me know if you have any questions.

Thank you.

Esther Wagner

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

--

Kate MacGregor

Principal Deputy Assistant Secretary - Land and Minerals Management

U.S. Department of the Interior

1849 C ST NW

Room 6625

Washington DC 20240

202-208-3671 (Direct)

--

Kate MacGregor

Principal Deputy Assistant Secretary - Land and Minerals Management

U.S. Department of the Interior

1849 C ST NW

Room 6625

Washington DC 20240

202-208-3671 (Direct)

To: Hammond, Casey[casey_hammond@ios.doi.gov]
From: Esther Wagner
Sent: 2018-02-20T10:25:54-05:00
Importance: Normal
Subject: RE: FW: FW: Meeting Request
Received: 2018-02-20T10:26:07-05:00

Sorry, can we change that to 9:00 am? We have a meeting scheduled at 10 and I want to be sure we have plenty of time to get there.

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, February 20, 2018 8:18 AM
To: Esther Wagner
Subject: Re: FW: FW: Meeting Request

Sounds good. For now let's say 6625, which is my office.

Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

On Tue, Feb 20, 2018 at 10:15 AM, Esther Wagner <esther@pawyo.org> wrote:
Thank you. How about 9:30 am on February 28? Do you have a room available for the meeting? I will have three others with me.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, February 20, 2018 7:23 AM
To: Esther Wagner
Subject: Re: FW: FW: Meeting Request

Hello,

Any time on the 28th will work.

Casey

Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

On Fri, Feb 16, 2018 at 5:40 PM, Esther Wagner <esther@pawyo.org> wrote:
Hi Casey,

Please see my email below regarding trying to schedule an appointment with you. We will be there all day February 28 and the morning of March 1. We have meetings scheduled with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. We will also be meeting with Greg Sheehan on February 28, but don't have confirmation of a time yet. Do you have time available to meet regarding sage-grouse conservation management?

Thanks,

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:33 PM
To: Esther Wagner
Cc: Hammond, Casey
Subject: Re: FW: Meeting Request

Oops -Sorry CC'd now.

On Fri, Feb 16, 2018 at 5:30 PM, Esther Wagner <esther@pawyo.org> wrote:
Thanks, Kate. Do you have an email address for Casey?

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:28 PM
To: Esther Wagner
Subject: Re: FW: Meeting Request

Hey Esther - Connecting you directly with Casey. While I will be out, he would be a great person to meet with - particularly on sage grouse issues.
-Kate

On Fri, Feb 16, 2018 at 4:46 PM, Esther Wagner <esther@pawyo.org> wrote:
Hi Kate,

Per our phone conversation, please see the email string below trying to schedule appointments with you and Casey Hammond. We will be there all day February 28 and the morning of March 1. We have meetings scheduled on these same topics with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. Just as an FYI, attached are the materials we sent to Deputy Secretary Bernhardt.

Thanks so much and have a great weekend.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Esther Wagner
Sent: Monday, February 12, 2018 2:16 PM
To: 'Hayes, Joseph'; Valgentina Bolden
Subject: RE: Meeting Request

Thank you for getting back to me, Joe, I really appreciate it.

Penny, I tried to call the number Joe provided below, but it says it's a number that hasn't been activated. Can you please let me know if Kate MacGregor and Casey Hammond have any availability to meet during the week of February 26? As you can see from the email below, we would like to meet with Kate regarding the National Historic Preservation Act (NHPA), Migratory Bird Treaty Act (MBTA) and sage-grouse conservation management; and we would like to meet with Casey regarding sage-grouse conservation management.

I'm also trying to schedule meetings with Brian Steed, Kathleen Benedetto, Kristin Bail and Callie Younger regarding the same topics.

Also, as stated in the email below, the people who plan to attend the meeting(s) with me would be:
David Applegate, Anadarko
Joe Icenogle, Wave Petroleum
Spencer Kimball, EOG Resources.

Thank you for your assistance.

Esther Wagner

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Hayes, Joseph [mailto:joseph.hayes@boem.gov]
Sent: Monday, February 12, 2018 2:03 PM
To: Esther Wagner; Valgentina Bolden
Subject: Re: Meeting Request

Good afternoon,

The ASLM Joe Balash will be on travel Feb 26-28. Kate and Casey's scheduler is Penny who can be reached at 202-208-2197 or vbolden@blm.gov.

Joe H

Joseph G. Hayes
Executive Assistant to the Assistant Secretary Land & Minerals Management
Bureau of Ocean Energy Management
1849 C Street, NW,
Washington, DC 20240
(202) 208-2599

On Thu, Feb 8, 2018 at 10:31 AM, Esther Wagner <esther@pawyo.org> wrote:
Good morning,

The Petroleum Association of Wyoming is planning to make a trip to DC during the week of February 26, 2018. If possible, we would like to have an opportunity to meet with Assistant Secretary for Land and Minerals Joe Balash regarding issues of importance to our members in Wyoming. The topics we would like to discuss include the National Historic Preservation Act, the Migratory Bird Treaty Act, and sage-grouse conservation management. Can you please let me know if he has any availability to meet that week and, if so, what times would work?

Do you also schedule meetings for Katharine MacGregor and Casey Hammond? If so, we would like to meet with Ms. MacGregor regarding all three topics and Mr. Hammond regarding sage-grouse conservation.
Can you please let me know if they have any availability to meet during the week of February 26 and, if so, what times would work? We can do this in one meeting or more depending on schedules. We are also working to schedule meetings with BLM staff regarding the same topics.

The people who plan to attend the meeting(s) with me are:

David Applegate, Anadarko
Joe Icenogle, Wave Petroleum
Spencer Kimball, EOG Resources

Please let me know if you have any questions.

Thank you.

Esther Wagner

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

--
Kate MacGregor
Principal Deputy Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior
1849 C ST NW
Room 6625
Washington DC 20240
202-208-3671 (Direct)

--
Kate MacGregor
Principal Deputy Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior
1849 C ST NW
Room 6625
Washington DC 20240

202-208-3671 (Direct)

To: Esther Wagner[esther@pawyo.org]
From: Hammond, Casey
Sent: 2018-02-20T10:28:42-05:00
Importance: Normal
Subject: Re: FW: FW: Meeting Request
Received: 2018-02-20T10:29:09-05:00

ok

Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

On Tue, Feb 20, 2018 at 10:25 AM, Esther Wagner <esther@pawyo.org> wrote:

Sorry, can we change that to 9:00 am? We have a meeting scheduled at 10 and I want to be sure we have plenty of time to get there.

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, February 20, 2018 8:18 AM
To: Esther Wagner
Subject: Re: FW: FW: Meeting Request

Sounds good. For now let's say 6625, which is my office.

Casey Hammond

Deputy Assistant Secretary for

Land and Minerals Management

Department of the Interior

On Tue, Feb 20, 2018 at 10:15 AM, Esther Wagner <esther@pawyo.org> wrote:

Thank you. How about 9:30 am on February 28? Do you have a room available for the meeting? I will have three others with me.

Esther

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, February 20, 2018 7:23 AM
To: Esther Wagner
Subject: Re: FW: FW: Meeting Request

Hello,

Any time on the 28th will work.

Casey

Casey Hammond

Deputy Assistant Secretary for

Land and Minerals Management

Department of the Interior

On Fri, Feb 16, 2018 at 5:40 PM, Esther Wagner <esther@pawyo.org> wrote:

Hi Casey,

Please see my email below regarding trying to schedule an appointment with you. We will be there all day February 28 and the morning of March 1. We have meetings scheduled with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. We will also be meeting with Greg Sheehan on February 28, but don't have confirmation of a time yet. Do you have time available to meet regarding sage-grouse conservation management?

Thanks,

Esther

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:33 PM
To: Esther Wagner
Cc: Hammond, Casey
Subject: Re: FW: Meeting Request

Oops -Sorry CC'd now.

On Fri, Feb 16, 2018 at 5:30 PM, Esther Wagner <esther@pawyo.org> wrote:

Thanks, Kate. Do you have an email address for Casey?

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:28 PM
To: Esther Wagner
Subject: Re: FW: Meeting Request

Hey Esther - Connecting you directly with Casey. While I will be out, he would be a great person to meet with - particularly on sage grouse issues.

-Kate

On Fri, Feb 16, 2018 at 4:46 PM, Esther Wagner <esther@pawyo.org> wrote:

Hi Kate,

Per our phone conversation, please see the email string below trying to schedule appointments with you and Casey Hammond. We will be there all day February 28 and the morning of March 1. We have meetings scheduled on these same topics with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. Just as an FYI, attached are the materials we sent to Deputy Secretary Bernhardt.

Thanks so much and have a great weekend.

Esther

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: Esther Wagner
Sent: Monday, February 12, 2018 2:16 PM
To: 'Hayes, Joseph'; Valgentina Bolden
Subject: RE: Meeting Request

Thank you for getting back to me, Joe, I really appreciate it.

Penny, I tried to call the number Joe provided below, but it says it's a number that hasn't been activated. Can you please let me know if Kate MacGregor and Casey Hammond have any availability to meet during the week of February 26? As you can see from the email below, we would like to meet with Kate regarding the National Historic Preservation Act (NHPA), Migratory Bird Treaty Act (MBTA) and sage-grouse conservation management; and we would like to meet with Casey regarding sage-grouse conservation management.

I'm also trying to schedule meetings with Brian Steed, Kathleen Benedetto, Kristin Bail and Callie Younger regarding the same topics.

Also, as stated in the email below, the people who plan to attend the meeting(s) with me would be:

David Applegate, Anadarko

Joe Icenogle, Wave Petroleum

Spencer Kimball, EOG Resources.

Thank you for your assistance.

Esther Wagner

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

From: Hayes, Joseph [mailto:joseph.hayes@boem.gov]
Sent: Monday, February 12, 2018 2:03 PM
To: Esther Wagner; Valgentina Bolden
Subject: Re: Meeting Request

Good afternoon,

The ASLM Joe Balash will be on travel Feb 26-28. Kate and Casey's scheduler is Penny who can be reached at 202-208-2197 or vbolden@blm.gov.

Joe H

Joseph G. Hayes

Executive Assistant to the Assistant Secretary Land & Minerals Management

Bureau of Ocean Energy Management

1849 C Street, NW,

Washington, DC 20240

(202) 208-2599

On Thu, Feb 8, 2018 at 10:31 AM, Esther Wagner <esther@pawyo.org> wrote:

Good morning,

The Petroleum Association of Wyoming is planning to make a trip to DC during the week of February 26, 2018. If possible, we would like to have an opportunity to meet with Assistant Secretary for Land and Minerals Joe Balash regarding issues of importance to our members in Wyoming. The topics we would like to discuss include the National Historic Preservation Act, the Migratory Bird Treaty Act, and sage-grouse conservation management. Can you please let me know if he has any availability to meet that week and, if so, what times would work?

Do you also schedule meetings for Katharine MacGregor and Casey Hammond? If so, we would like to meet with Ms. MacGregor regarding all three topics and Mr. Hammond regarding sage-grouse conservation.

Can you please let me know if they have any availability to meet during the week of February 26 and, if so, what times would work? We can do this in one meeting or more depending on

schedules. We are also working to schedule meetings with BLM staff regarding the same topics.

The people who plan to attend the meeting(s) with me are:

David Applegate, Anadarko

Joe Icenogle, Wave Petroleum

Spencer Kimball, EOG Resources

Please let me know if you have any questions.

Thank you.

Esther Wagner

Esther Wagner

Vice President - Public Lands

Petroleum Association of Wyoming

Office (307) 234-5333

Cell [redacted] (b)(6)

Fax (307) 266-9928

--

Kate MacGregor

Principal Deputy Assistant Secretary - Land and Minerals Management

U.S. Department of the Interior

1849 C ST NW

Room 6625

Washington DC 20240

202-208-3671 (Direct)

--

Kate MacGregor

Principal Deputy Assistant Secretary - Land and Minerals Management

U.S. Department of the Interior

1849 C ST NW

Room 6625

Washington DC 20240

202-208-3671 (Direct)

To: Hammond, Casey[casey_hammond@ios.doi.gov]
From: Esther Wagner
Sent: 2018-02-20T11:08:18-05:00
Importance: Normal
Subject: RE: FW: FW: Meeting Request
Received: 2018-02-20T11:08:35-05:00

Thank you.

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, February 20, 2018 8:29 AM
To: Esther Wagner
Subject: Re: FW: FW: Meeting Request

ok

Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

On Tue, Feb 20, 2018 at 10:25 AM, Esther Wagner <esther@pawyo.org> wrote:
Sorry, can we change that to 9:00 am? We have a meeting scheduled at 10 and I want to be sure we have plenty of time to get there.

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, February 20, 2018 8:18 AM
To: Esther Wagner
Subject: Re: FW: FW: Meeting Request

Sounds good. For now let's say 6625, which is my office.

Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

On Tue, Feb 20, 2018 at 10:15 AM, Esther Wagner <esther@pawyo.org> wrote:
Thank you. How about 9:30 am on February 28? Do you have a room available for the meeting? I will have three others with me.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Hammond, Casey [mailto:casey_hammond@ios.doi.gov]
Sent: Tuesday, February 20, 2018 7:23 AM
To: Esther Wagner
Subject: Re: FW: FW: Meeting Request

Hello,

Any time on the 28th will work.

Casey

Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

On Fri, Feb 16, 2018 at 5:40 PM, Esther Wagner <esther@pawyo.org> wrote:
Hi Casey,

Please see my email below regarding trying to schedule an appointment with you. We will be there all day February 28 and the morning of March 1. We have meetings scheduled with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. We will also be meeting with Greg Sheehan on February 28, but don't have confirmation of a time yet. Do you have time available to meet regarding sage-grouse conservation management?

Thanks,

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:33 PM
To: Esther Wagner
Cc: Hammond, Casey
Subject: Re: FW: Meeting Request

Oops -Sorry CC'd now.

On Fri, Feb 16, 2018 at 5:30 PM, Esther Wagner <esther@pawyo.org> wrote:
Thanks, Kate. Do you have an email address for Casey?

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333

Cell [redacted] (b)(6)
Fax (307) 266-9928

From: MacGregor, Katharine [mailto:katharine_macgregor@ios.doi.gov]
Sent: Friday, February 16, 2018 3:28 PM
To: Esther Wagner
Subject: Re: FW: Meeting Request

Hey Esther - Connecting you directly with Casey. While I will be out, he would be a great person to meet with - particularly on sage grouse issues.
-Kate

On Fri, Feb 16, 2018 at 4:46 PM, Esther Wagner <esther@pawyo.org> wrote:
Hi Kate,

Per our phone conversation, please see the email string below trying to schedule appointments with you and Casey Hammond. We will be there all day February 28 and the morning of March 1. We have meetings scheduled on these same topics with Brian Steed, Tim Spisak and Kristin Bail at 10 am on February 28 and with Kathy Benedetto at 10:30 am on March 1. Just as an FYI, attached are the materials we sent to Deputy Secretary Bernhardt.

Thanks so much and have a great weekend.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Esther Wagner
Sent: Monday, February 12, 2018 2:16 PM

To: 'Hayes, Joseph'; Valgentina Bolden
Subject: RE: Meeting Request

Thank you for getting back to me, Joe, I really appreciate it.

Penny, I tried to call the number Joe provided below, but it says it's a number that hasn't been activated. Can you please let me know if Kate MacGregor and Casey Hammond have any availability to meet during the week of February 26? As you can see from the email below, we would like to meet with Kate regarding the National Historic Preservation Act (NHPA), Migratory Bird Treaty Act (MBTA) and sage-grouse conservation management; and we would like to meet with Casey regarding sage-grouse conservation management.

I'm also trying to schedule meetings with Brian Steed, Kathleen Benedetto, Kristin Bail and Callie Younger regarding the same topics.

Also, as stated in the email below, the people who plan to attend the meeting(s) with me would be:
David Applegate, Anadarko
Joe Icenogle, Wave Petroleum
Spencer Kimball, EOG Resources.

Thank you for your assistance.

Esther Wagner

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Hayes, Joseph [mailto:joseph.hayes@boem.gov]
Sent: Monday, February 12, 2018 2:03 PM
To: Esther Wagner; Valgentina Bolden
Subject: Re: Meeting Request

Good afternoon,

The ASLM Joe Balash will be on travel Feb 26-28. Kate and Casey's scheduler is Penny who can be reached at 202-208-2197 or vbolden@blm.gov.

Joe H

Joseph G. Hayes
Executive Assistant to the Assistant Secretary Land & Minerals Management
Bureau of Ocean Energy Management
1849 C Street, NW,
Washington, DC 20240
(202) 208-2599

On Thu, Feb 8, 2018 at 10:31 AM, Esther Wagner <esther@pawyo.org> wrote:
Good morning,

The Petroleum Association of Wyoming is planning to make a trip to DC during the week of February 26, 2018. If possible, we would like to have an opportunity to meet with Assistant Secretary for Land and Minerals Joe Balash regarding issues of importance to our members in Wyoming. The topics we would like to discuss include the National Historic Preservation Act, the Migratory Bird Treaty Act, and sage-grouse conservation management. Can you please let me know if he has any availability to meet that week and, if so, what times would work?

Do you also schedule meetings for Katharine MacGregor and Casey Hammond? If so, we would like to meet with Ms. MacGregor regarding all three topics and Mr. Hammond regarding sage-grouse conservation.
Can you please let me know if they have any availability to meet during the week of February 26 and, if so, what times would work? We can do this in one meeting or more depending on schedules. We are also working to schedule meetings with BLM staff regarding the same topics.

The people who plan to attend the meeting(s) with me are:
David Applegate, Anadarko
Joe Icenogle, Wave Petroleum
Spencer Kimball, EOG Resources

Please let me know if you have any questions.

Thank you.

Esther Wagner

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

--
Kate MacGregor
Principal Deputy Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior
1849 C ST NW
Room 6625
Washington DC 20240
202-208-3671 (Direct)

--
Kate MacGregor
Principal Deputy Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior
1849 C ST NW
Room 6625
Washington DC 20240
202-208-3671 (Direct)

From: Esther Wagner
Location: Rm. 6625
Importance: Normal
Subject: Sage-Grouse Conservation Management
Start Date/Time: 2018-02-28T09:00:00-05:00
End Date/Time: 2018-02-28T09:30:00-05:00

To: Vincent_devito@ios.doi.gov[Vincent_devito@ios.doi.gov]
From: Esther Wagner
Sent: 2018-02-20T11:19:05-05:00
Importance: Normal
Subject: National Historic Preservation Act
Received: 2018-02-20T11:20:10-05:00

Mr. DeVito,

I am writing to check your availability to meet with me and a few of our members regarding the National Historic Preservation Act and Section 106 tribal consultation requirements on either the afternoon of February 28 or the morning of March 1 in DC.

I apologize for the late notice.

Thank you for your consideration.

Esther Wagner

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

To: Esther Wagner[esther@pawyo.org]; gisella_ojeda-dodds@ios.doi.gov[gisella_ojeda-dodds@ios.doi.gov]
From: Vincent Devito
Sent: 2018-02-20T12:33:32-05:00
Importance: Normal
Subject: Re: National Historic Preservation Act
Received: 2018-02-20T12:34:34-05:00

Thank you. I am adding Gisella to see if we can coordinate a time. Thanks.

On Feb 20, 2018, at 11:19 AM, Esther Wagner <esther@pawyo.org> wrote:

Mr. DeVito,

I am writing to check your availability to meet with me and a few of our members regarding the National Historic Preservation Act and Section 106 tribal consultation requirements on either the afternoon of February 28 or the morning of March 1 in DC.

I apologize for the late notice.

Thank you for your consideration.

Esther Wagner

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

To: Vincent Devito[vincent_devito@ios.doi.gov]; gisella_ojeda-dodds@ios.doi.gov[gisella_ojeda-dodds@ios.doi.gov]
From: Esther Wagner
Sent: 2018-02-20T13:08:31-05:00
Importance: Normal
Subject: RE: National Historic Preservation Act
Received: 2018-02-20T13:09:33-05:00

Thank you very much. Gisella, I look forward to hearing from you.

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Vincent Devito [mailto:vincent_devito@ios.doi.gov]
Sent: Tuesday, February 20, 2018 10:34 AM
To: Esther Wagner; gisella_ojeda-dodds@ios.doi.gov
Subject: Re: National Historic Preservation Act

Thank you. I am adding Gisella to see if we can coordinate a time. Thanks.
On Feb 20, 2018, at 11:19 AM, Esther Wagner <esther@pawyo.org> wrote:

> Mr. DeVito,
>
> I am writing to check your availability to meet with me and a few of our members regarding the National Historic Preservation Act and Section 106 tribal consultation requirements on either the afternoon of February 28 or the morning of March 1 in DC.
>
> I apologize for the late notice.
>
> Thank you for your consideration.
>
> Esther Wagner
>
> Esther Wagner
> Vice President - Public Lands
> Petroleum Association of Wyoming
> Office (307) 234-5333
> Cell [redacted] (b)(6)
> Fax (307) 266-9928

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Esther Wagner
Sent: 2018-03-09T13:20:11-05:00
Importance: Normal
Subject: Automatic reply: Sage Grouse
Received: 2018-03-09T13:21:26-05:00

Thank you for your email. I am out of the office until Tuesday, March 13, 2018. I will respond to emails upon my return.

Esther

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Esther Wagner
Sent: 2018-03-21T16:42:06-04:00
Importance: Normal
Subject: Thank You for Meeting
Received: 2018-03-21T16:42:13-04:00

Hi Tim,

Thank you for taking the time to meet with our group a couple of weeks ago it was great to finally meet you in person. Thank you so much for your continued efforts to keep us informed I really appreciate it.

Please let me know if you have any questions or if I can provide further clarification on any of the items we discussed during our meeting.

It was a pleasure to meet you and thanks again.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

To: casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]
From: Esther Wagner
Sent: 2018-03-21T16:57:03-04:00
Importance: Normal
Subject: Thank You for Meeting
Received: 2018-03-21T16:57:15-04:00

Hi Casey,

Thank you for taking the time to meet with our group last week, we really appreciated it. During our meeting we discussed the Sage-grouse RMP revisions and Secretary's Order 3362 on migration corridors. Any updates you can provide us with regard to these items would be greatly appreciated.

Please let me know if you have any questions or if I can provide further clarification on any of the items we discussed during our meeting.

It was a pleasure to meet you and thanks again.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

To: kathleen_benedetto@ios.doi.gov[kathleen_benedetto@ios.doi.gov]; casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]
From: Samantha McDonald
Sent: 2018-03-30T11:35:54-04:00
Importance: Normal
Subject: IPAA Meeting request for Thursday, April 26
Received: 2018-03-30T11:36:03-04:00

Kathy and Casey,

Several of IPAA's wildlife experts will be in town on Thursday, April 26th . Would you be available to meet with us sometime that day? Our morning is wide open. The attendees currently include the following individuals, though I expect some will drop off as the day gets closer:

Attendees:
Suzi Holland or Greg Washington, Chevron
Brian Woodard or Cassi Moore, Chesapeake
Nick Owens, Anadarko
Greg Schrab, SM Energy
Wendy Kirchoff or Ethan Ditmanson, Noble Energy
Chris Jensen, BP
Spencer Kimball, EOG Resources
Tripp Parks, Western Energy Alliance (fellow allied trade)
Dan Naatz, IPAA
*Samantha McDonald, IPAA

Subjects:
1. MBTA
2. Mitigation

***Scheduling Contact:** Sam McDonald smcdonald@ipaa.org 202-857-4702
Day of Contact: Sam McDonald (cell) [redacted] (b)(6)

Thanks in advance for the consideration of this request.

Best,

Sam

Samantha McDonald
Director of Government Relations
Independent Petroleum Association of America
(202)857-4722 / Visit IPAA / Visit ESA Watch

IPAA

INTERNATIONAL PETROLEUM
ASSOCIATION OF AMERICA

To: kathleen_benedetto@ios.doi.gov[kathleen_benedetto@ios.doi.gov]; casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]
From: Samantha McDonald
Sent: 2018-03-30T11:35:54-04:00
Importance: Normal
Subject: [EXTERNAL] IPAA Meeting request for Thursday, April 26
Received: 2018-03-30T11:36:00-04:00

Kathy and Casey,

Several of IPAA's wildlife experts will be in town on Thursday, April 26th . Would you be available to meet with us sometime that day? Our morning is wide open. The attendees currently include the following individuals, though I expect some will drop off as the day gets closer:

Attendees:
Suzi Holland or Greg Washington, Chevron
Brian Woodard or Cassi Moore, Chesapeake
Nick Owens, Anadarko
Greg Schrab, SM Energy
Wendy Kirchoff or Ethan Ditmanson, Noble Energy
Chris Jensen, BP
Spencer Kimball, EOG Resources
Tripp Parks, Western Energy Alliance (fellow allied trade)
Dan Naatz, IPAA
*Samantha McDonald, IPAA

Subjects:
1. MBTA
2. Mitigation

***Scheduling Contact:** Sam McDonald smcdonald@ipaa.org 202-857-4702
Day of Contact: Sam McDonald [redacted] *(b)(6)*

Thanks in advance for the consideration of this request.

Best,

Sam

Samantha McDonald
Director of Government Relations
Independent Petroleum Association of America
(202)857-4722 / **Visit IPAA** / **Visit ESA Watch**

IPAA

INTERNATIONAL PETROLEUM
ASSOCIATION OF AMERICA

To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]
From: Montana Petroleum Association
Sent: 2018-04-05T12:54:51-04:00
Importance: Normal
Subject: [EXTERNAL] The Case Against Independently Regulated O&G Districts
Received: 2018-04-05T19:23:08-04:00

The Case Against the Beartooth Front District

Email not displaying correctly? Click here to view it in your browser.

April 5th, 2018

The Montana Petroleum Report provides information of interest to Montanans. We encourage you to forward this e-letter to your friends. — Alan Olson, Executive Director
www.montanapetroleum.org

The case against the Beartooth Front District
By Jessica Sena, Communications Consultant
Montana Petroleum Association
Contact: (406) 590-8675
Written for publication in the Bakken Oil Business Journal released April 3rd.

State and local coffers have been impacted by the loss of tax revenue from natural resource development. Oil and natural gas production has not yet recovered in Montana, though prices have reached highs not seen since 2014. Insufficient infrastructure, service shortages in many areas, and public pushback all pose challenges to viable exploration, prolonging the recovery of drilling activity. While limiting factors to development will always exist in the risky and costly business of oil and gas exploration, the increased influence of public opinion on public policy also effects the economic landscape of Montana.

To Zone or Not to Zone

Despite record low drilling activity, opposition to development has not diminished. In Stillwater County, a group of landowners have been petitioning the County to regulate oil, natural gas, and coal bed methane extraction on 83,000 acres of what's been proposed as the "Stillwater County Beartooth Front District" - a citizen-initiated zone three years in the making. Petitioners view existing regulation as inadequate for protecting the environment

and *their rural way of life*.

Back in January, the Stillwater County Commission denied the petition after County Attorney Nancy Rhode advised Clerk & Recorder Heidi Stadel to invalidate it on the basis that signatories did not include mineral owners.

But the battle is far from over.

On February 26th, advocates for the petition, calling themselves the Beartooth Front Coalition, filed a lawsuit against Stillwater County in District Court for petition guidelines (proposed in January) that they say were not made clear to them throughout the signature collection process. Guidelines require mineral owners to be included in zoning petitions.

On March 13th, the comment period on the proposed guidelines was closed. Hearings of the recently filed lawsuit remain ongoing.

Defending the Commissioners

Contemporary regulation for oil and natural gas is complex and comprehensive, contributing positively to Montana's environmental record of responsible development. The relentless pursuit for burgeoning regulation, in the absence of material harm, is superfluous for ensuring the protection of public health and the environment.

- *In more than 60 years of hydraulic fracturing, there has not been a single case of groundwater contamination as the result of stimulation activities.*
- *A 2014 U.S. Geological Survey study of 30 randomly distributed domestic wells tested in oil producing areas of Montana and North Dakota showed shallow groundwater quality had not been affected by energy development.*
- *Flaring of fugitive emissions (methane) from oil wells is captured at a rate above 90 percent in Montana.*
- *At the height of production (2011-2013), Richland County (the highest in oil production) maintained an "A" rating by the American Heart and Lung Association for air quality.*

Unintended Consequences

Consider the negative impact that time, resource, and financial restraints pose to Stillwater County Commissioners, including the inability to effectively oversee permitting and environmental compliance. Such limitations contradict the intent of the petition.

Another point of contention is whether the Stillwater County Commission has the legal right to establish independent rules for oil and gas permitting. The proposed district may undermine legally-determined spacing units for oil and natural gas wells, infringing on the correlative rights of mineral owners, and resulting in wasted oil and natural gas resources by preventing reasonable access for development. *Sounds like a lawyer's dream*.

- **MCA 82-11-201** *The Establishment of Well Spacing Units*

This statute gives the Board of Oil and Gas Conservation (BOGC) the authority to space wells in a manner that protects the correlative rights of mineral owners, prevents the drilling of unnecessary wells, and prevents the waste of oil and natural gas resources. The BOGC has the legal authority to *increase or decrease the size of a temporary or permanent spacing unit*.

Both surface and mineral owners have property rights, and legally, the mineral estate is the dominant estate. Stillwater County Commissions were judicious in their consideration mineral owners' rights.

Montana law addresses development and compensation on split estates. For reasonable

access to surface use, companies pay compensation to the surface owner as negotiated prior to drilling. But what happens when a mineral owner can't lease their property for development? There is no such law that says these property owners must be compensated. This sets the stage for "takings without compensation" lawsuits, which could overwhelm county government and local taxpayers.

Only in Montana

Be it objections to leases, lawsuits, pushback or petitions, each inevitable obstacle to development demonstrates a right that exists exclusively in Montana: *broad and unfettered protest ability.*

Montana is the lone oil and gas state that allows anyone, anywhere to protest a proposed well. The opportunity to go before the Board of Oil and Gas Conservation (BOGC) ahead of approval for drilling operations is afforded to everyone, regardless of whether a person has a legal right to the proposed property. This unlimited protest ability holds industry to a higher standard by placing an additional burden of proof on companies to address concerns brought forth by the public.

If an application to drill is protested, the BOGC considers the validity of claims made during public hearings. The right to protest must not be confused with a right to unjustly prevent or impede legal development. Often, protests are based on false, preconceived notions about oil and natural gas, or the temporary inconvenience of a drilling operation - such as noise, increased traffic, and dust. Akin to any construction operation, these effects do not justify the denial of a permit to operate.

Organizers behind the Beartooth Front petition in Stillwater County have been frequent flyers at hearings of the Board of Oil and Gas, routinely protesting drilling applications all over the state. In public hearings on protested applications, the Board has often allowed testimony to carry on for hours at a time, giving everyone the opportunity to express their concerns. The reasoning behind Board decisions to permit drilling applications despite opposition, is often that protests are largely rooted in ideologically-driven fears about oil and natural gas development, rather than on the environmental track record of past drilling and fracturing (fracking) operations, or the details of proposed applications.

Regulated Enough Already

Protest ability is not the only area in which Montana regulators up the ante for responsible development. Exploration and production activities are heavily regulated by state law and agency rules administered by the Montana Department of Environmental Quality (DEQ) and the BOGC.

- Existing regulation for air and water quality *(partial list)*
- The Montana Ambient Air Quality Standards (MAAQS) establish statewide targets for acceptable amounts air pollutants to protect public health
- Air Quality: Emission Control Requirements for Oil and Gas Well Operating Prior to Issuance of a Montana Air Quality Permit, ARM 17-8-1601 through 1606
- Montana water quality is regulated under MCA 75-5-301, 302 Montana Water Quality Act; and in administrative rule under ARM 17.30.601 through 641 - Surface Water, and ARM 17.30.1001 through 1045 – Groundwater

The BOGC is a quasi-judicial board comprised of members with a specific set of qualifications to best represent all interests in Montana. State law requires the makeup of the Board to include landowners, both with and without minerals, three members with industry experience, an attorney, and a member of the public at large. This makeup lends a unique perspective and a balanced approach to the regulation and oversight of oil and gas development. --

In addition to managing oil and gas permitting, the BOGC has rulemaking authority, and responds to concerns of the public. During the height of controversy surrounding hydraulic fracturing (2011), the Board proactively adopted rules to further safeguard Montana's most precious natural resources.

As the result of rules promulgated by the Board, oil and gas operators working in Montana must verify the integrity of their operations to withstand high-pressured, fracture stimulation for the protection of the environment, including groundwater, prior to receiving a permit to drill. Disclosure of chemical additives used in stimulation activities (hydraulic fracturing) must also be revealed to the Board and made publicly available. In the 2017 Legislature, disclosure requirements first established by the BOGC were further strengthened and put into law.

The Board has also expanded the notification rules ahead of drilling operations. Now, prior to drilling, companies must provide personalized notification to all owners of an occupied dwelling within a quarter mile of a proposed well, giving additional consideration to landowners without mineral rights. Companies have long been required to post a public notice in a major newspaper and a local paper in the area of proposed drilling, but are now required to contact nearby landowners directly.

These rules hardly scratch the surface on the breadth of oil and gas regulation.

The Last Word

Bearing in mind the challenges to continued exploration and production in Montana, the current regulatory framework, not independently regulated districts, works best by facilitating continuity in permitting and a predictable application of environmental regulation statewide; fundamental components of a competitive business climate.

The saying "death by a thousand cuts" rings true on the effect of unnecessary regulation on revenue generating industries. Rural states in particular risk essential out-of-state investment when public *opinion* alone drives policymaking.

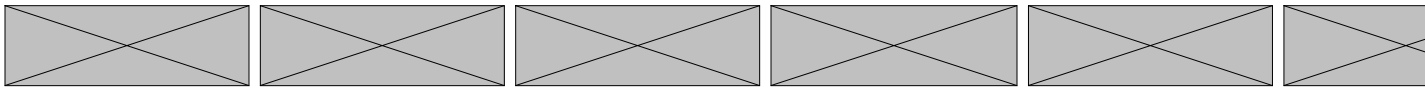
By maintaining the status quo, Montana can continue a longstanding history of responsible environmental stewardship, alongside the necessary economic production of oil and natural gas.

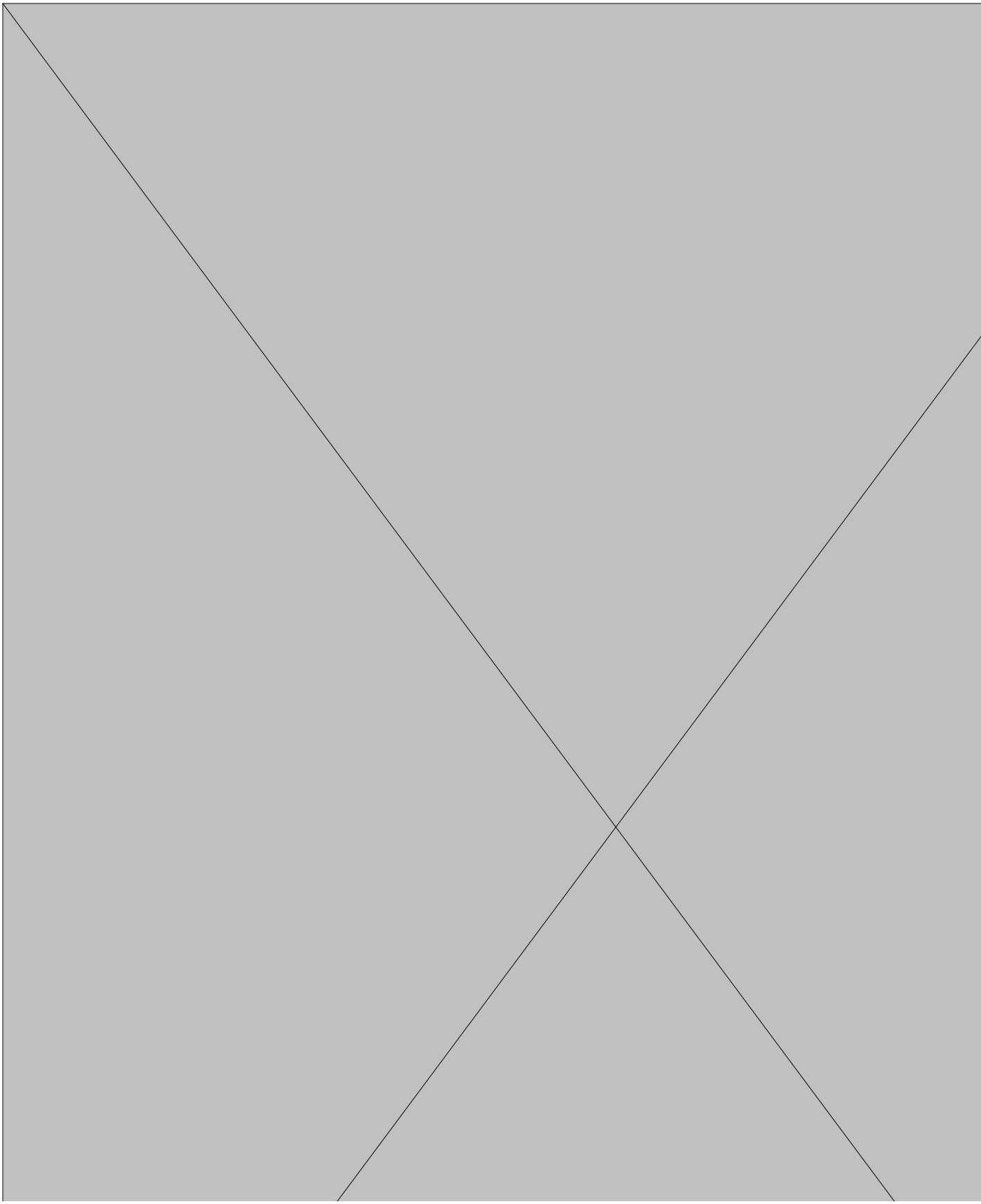
####

The Montana Petroleum Association is a non-profit trade association representing the nearly two hundred businesses which work to facilitate energy production in Montana. These include integrated and independent producers; lease operators; service providers; pipeline companies; refineries; as well as professional entities providing legal, financial, and additional regulatory support to the oil and natural gas industry.

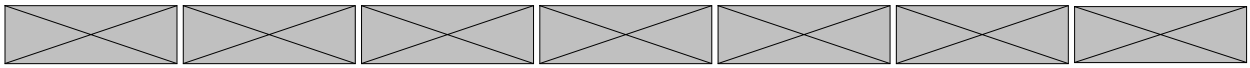
Our mailing address is:
Montana Petroleum Association, Inc
PO Box 1186
Helena, MT 59624

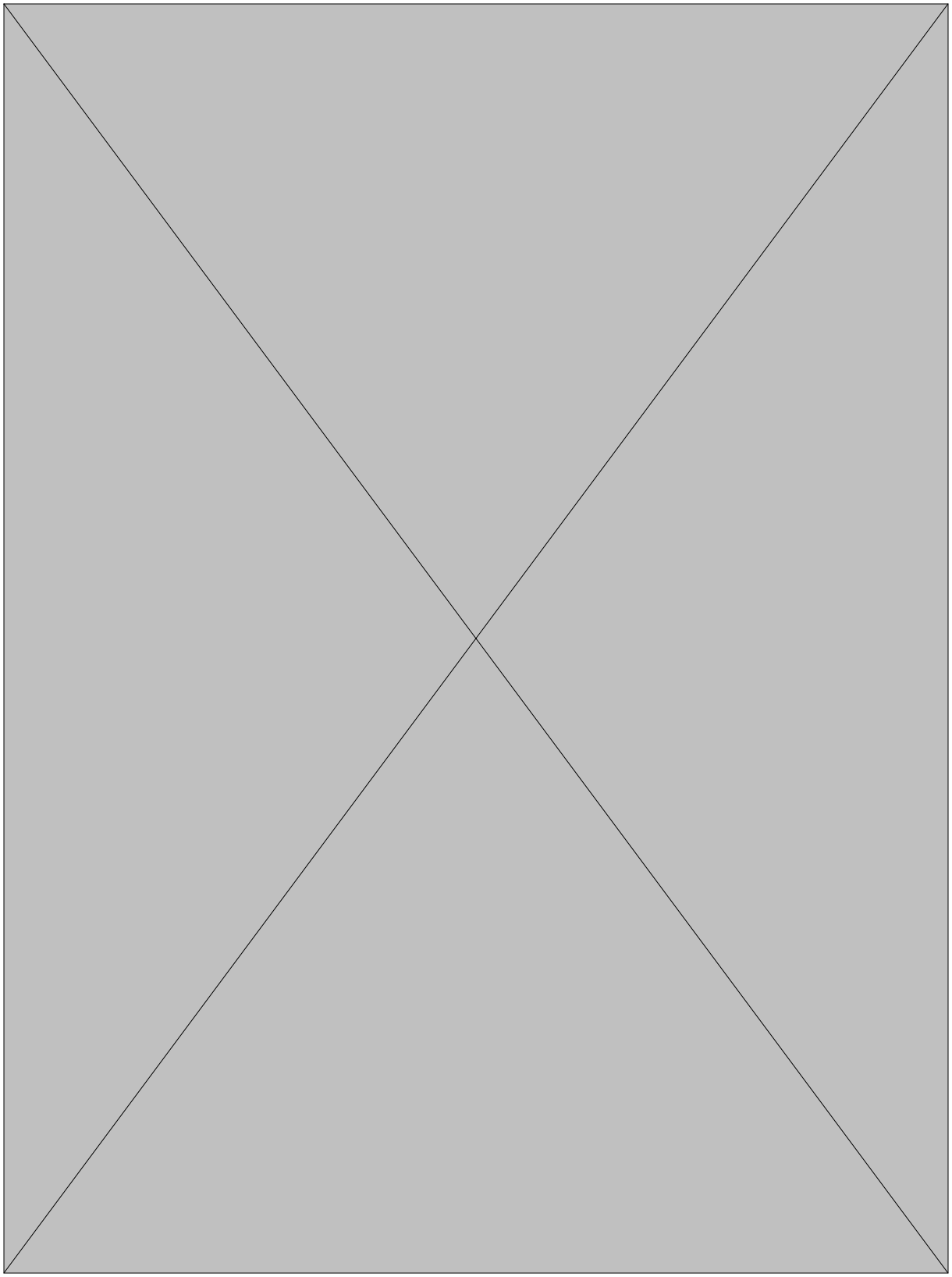
To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-04-05T18:17:08-04:00
Importance: Normal
Subject: [EXTERNAL] Revealing What's NEW at The Energy Summit
Received: 2018-04-05T20:38:15-04:00





To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-04-13T16:32:05-04:00
Importance: Normal
Subject: [EXTERNAL] Introducing the Fred Julander Lifetime Achievement Award
Received: 2018-04-13T16:32:52-04:00

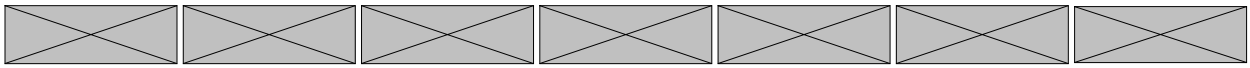


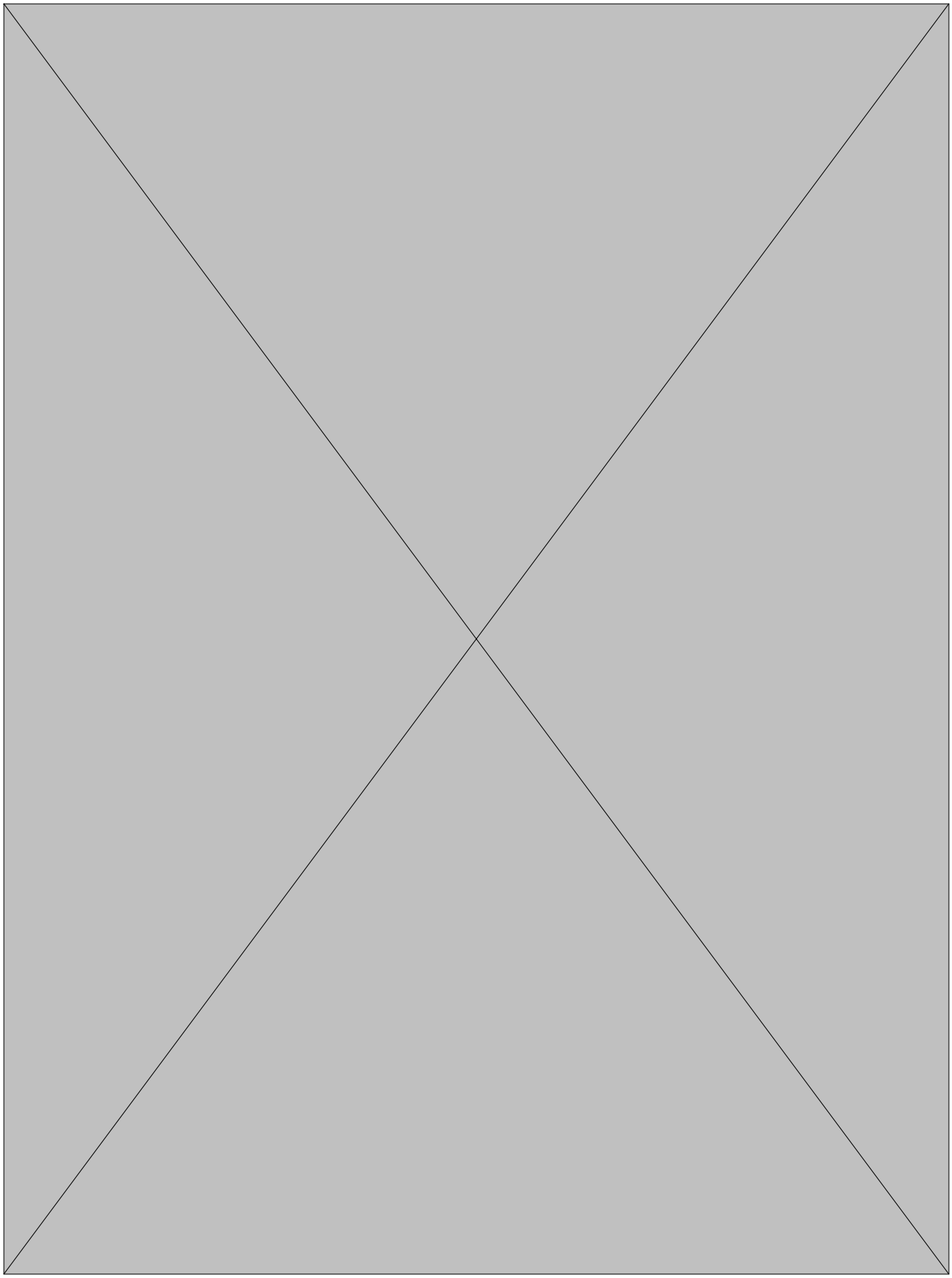


To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Samantha McDonald
Sent: 2018-04-16T10:36:56-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: Federal Register Notice - Black Capped Vireo Delisting
Received: 2018-04-16T10:37:06-04:00

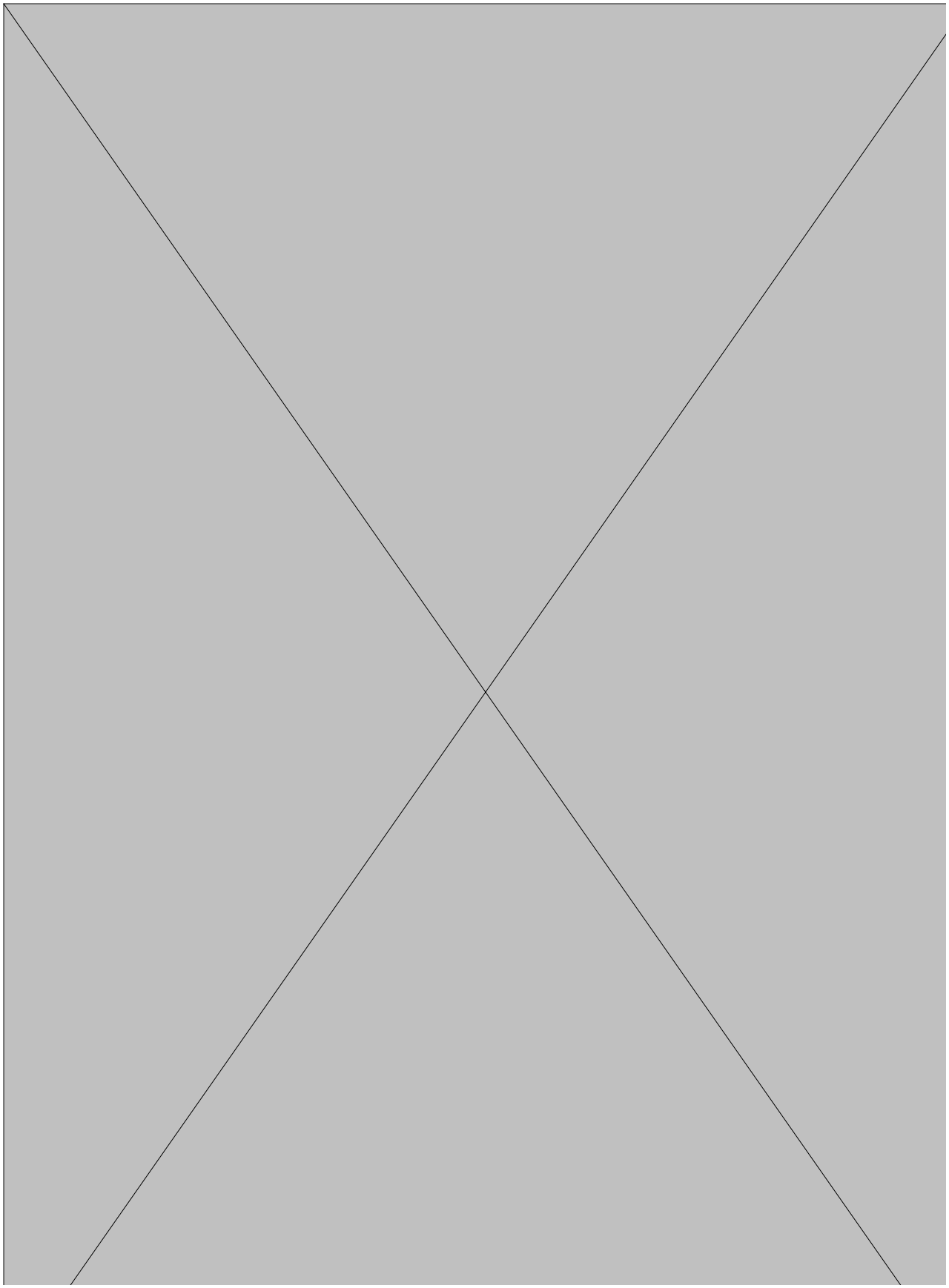
I'll be out of the office on April 13th & 16th. If you need immediate assistance while I'm away, please call (202)857-4722 to speak to another member of the IPAA team.

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-04-19T13:47:43-04:00
Importance: Normal
Subject: [EXTERNAL] Engage at The Energy Summit
Received: 2018-04-19T13:48:51-04:00

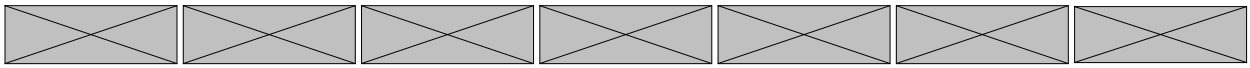


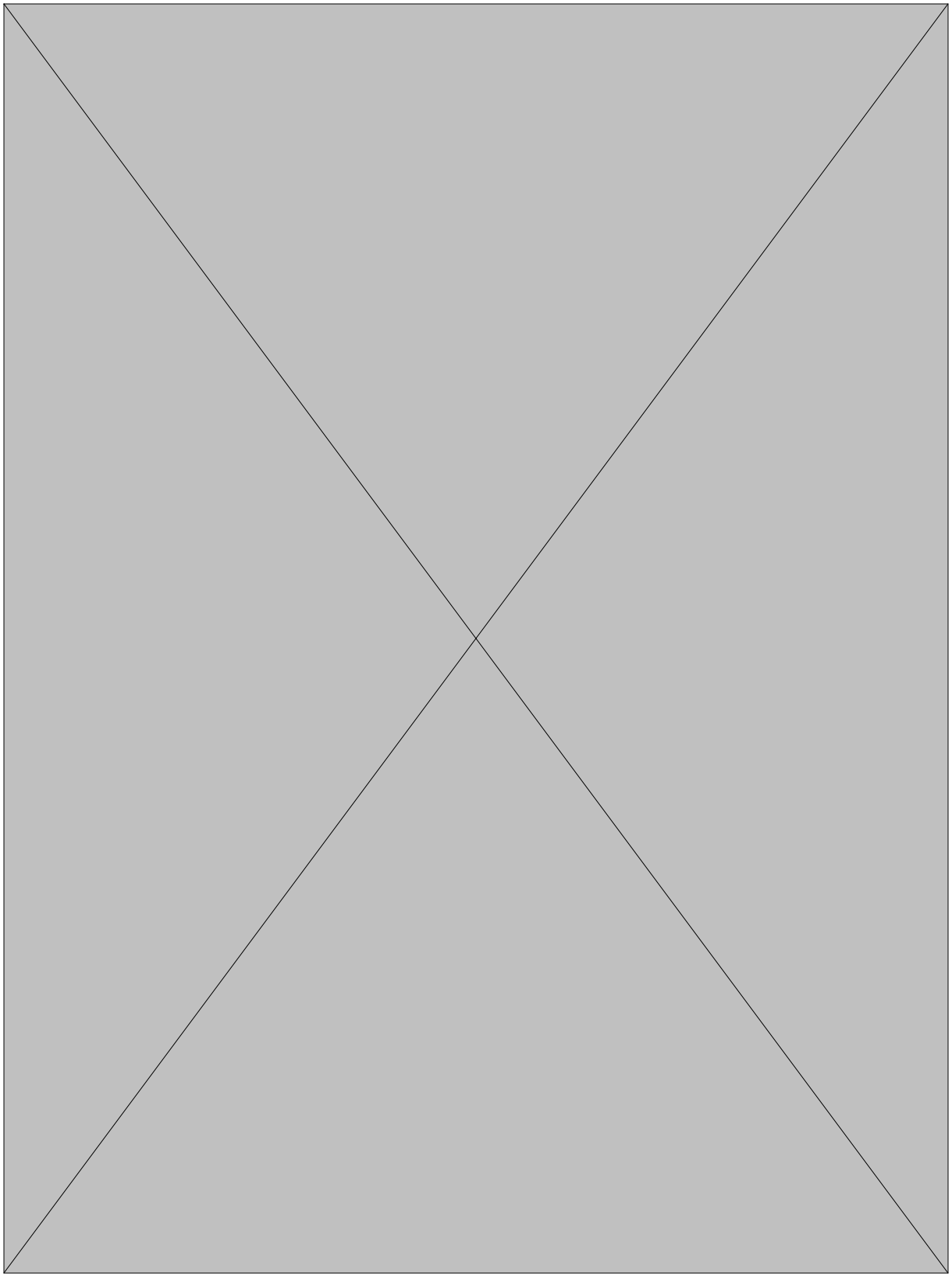


To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-05-03T13:32:13-04:00
Importance: Normal
Subject: [EXTERNAL] Run with Industry, Run the Colfax
Received: 2018-05-03T13:32:18-04:00

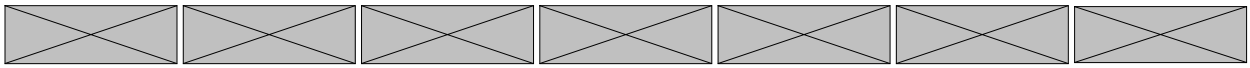


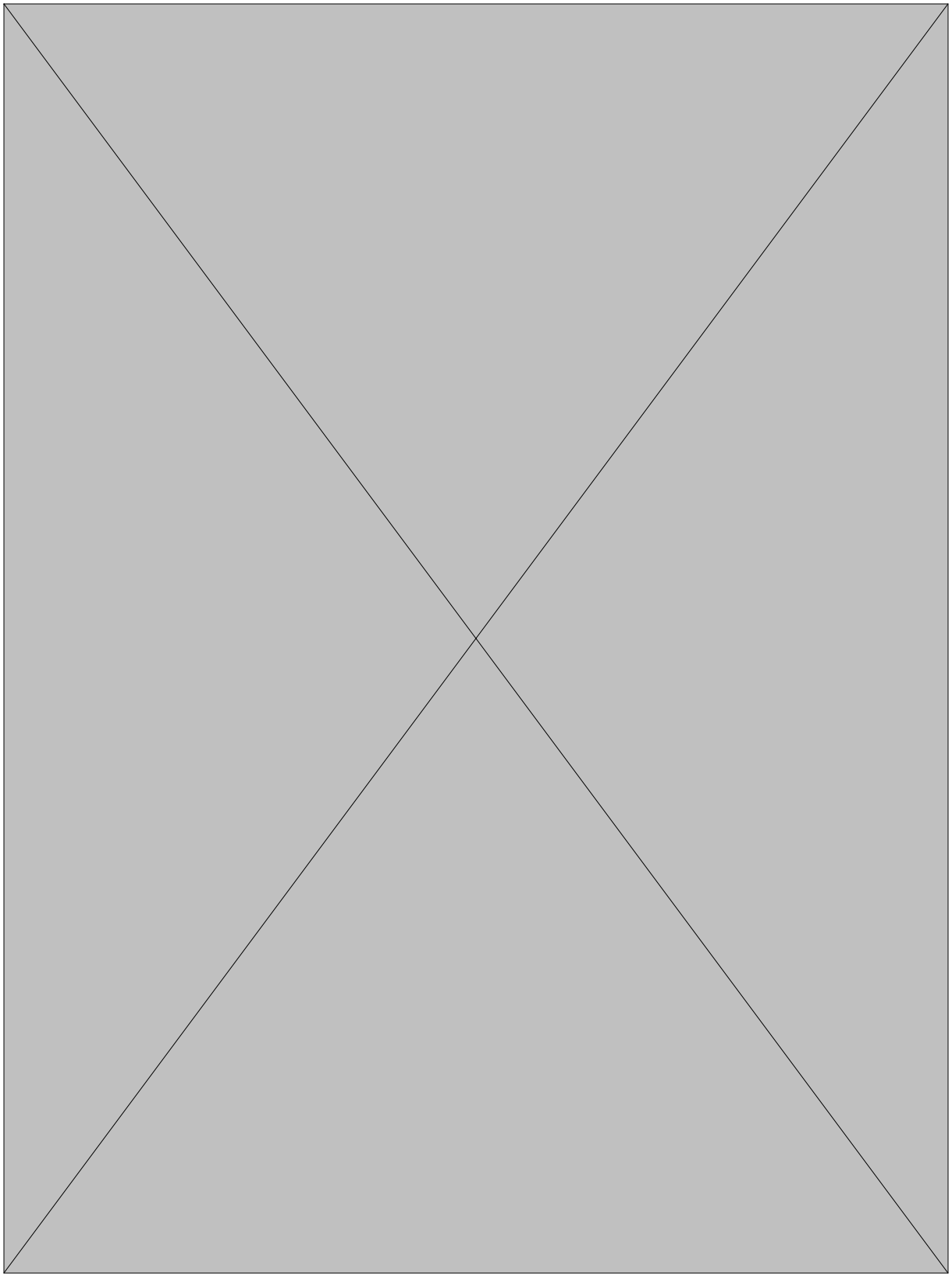
To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-05-07T12:02:35-04:00
Importance: Normal
Subject: [EXTERNAL] Case of the Mondays?
Received: 2018-05-07T12:02:44-04:00





To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-05-10T16:02:15-04:00
Importance: Normal
Subject: [EXTERNAL] Plan Your Energy Summit Experience
Received: 2018-05-10T16:02:24-04:00



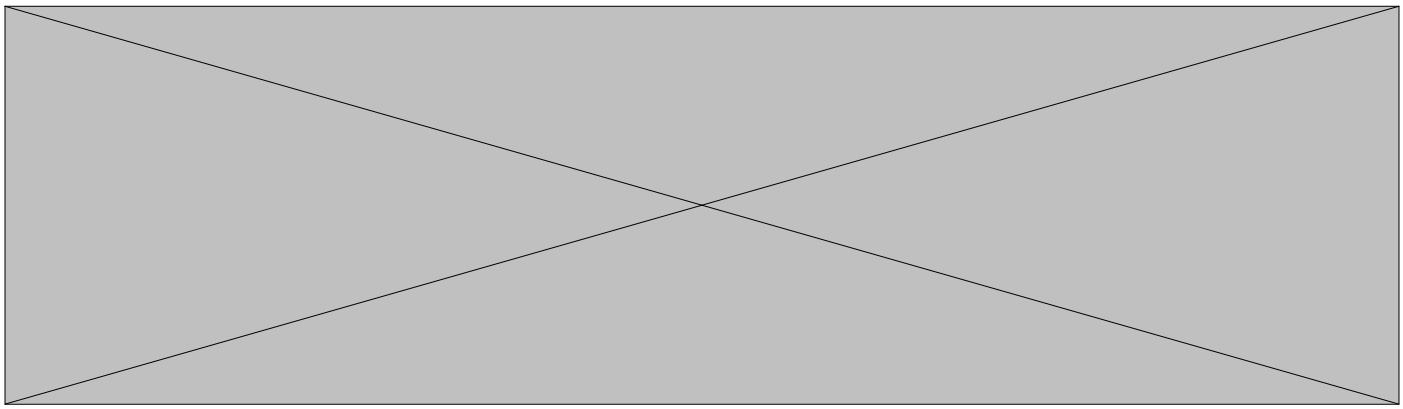


To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Robert McEntyre
Sent: 2018-05-17T16:48:33-04:00
Importance: Normal
Subject: [EXTERNAL] Re: Royalty Policy Committee to meet in Albuquerque, NM on June 6th
Received: 2018-05-17T16:48:53-04:00

Thank you, Tim. Appreciate the heads-up. Does this generally drive any media attention when they're held?

From: "Williams, Timothy" <timothy_williams@ios.doi.gov>
Date: Thursday, May 17, 2018 at 2:21 PM
Subject: Royalty Policy Committee to meet in Albuquerque, NM on June 6th

Wanted to make sure your office was aware.



Date: May 17, 2018
Contact: Interior_Press@ios.doi.gov

Royalty Policy Committee to meet in Albuquerque, NM on June 6th

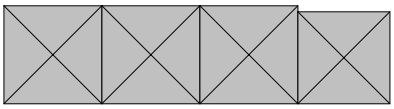
WASHINGTON - The Royalty Policy Committee (RPC) will hold its next regularly scheduled full-committee meeting in Albuquerque, NM, June 6, 2018, from 9:00 a.m. to 5:00 p.m. MDT, to receive reports from the three subcommittees, and may vote to make recommendations to the U.S. Secretary of the Interior. The final agenda and meeting materials will be posted before the meeting on the Committee website at www.doi.gov/rpc. All Committee meetings are open to the public. The Committee is composed of 28 state, Tribal, and other stakeholder representatives, and is chaired by Vincent DeVito, Counselor to the Secretary for Energy Policy.

WHAT: The Regularly Scheduled Meeting of the Royalty Policy Committee

WHO:	Royalty Policy Committee
WHEN:	Wednesday, June 6, 2018 9:00 AM MDT - 5:00 PM MDT
WHERE:	Sheraton Albuquerque Airport Hotel 2910 Yale Blvd SE, Albuquerque, NM 87106
CALL INFO:	Domestic Conference Line (b)(5) *Passcode: (b)(5) International Conference Line: (b)(5) *Passcode: (b)(5)

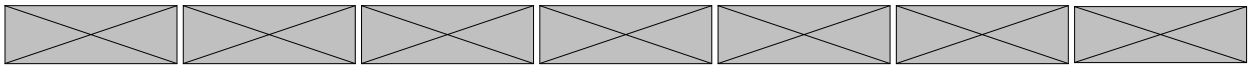
**The meeting is also accessible via WebEx HERE.

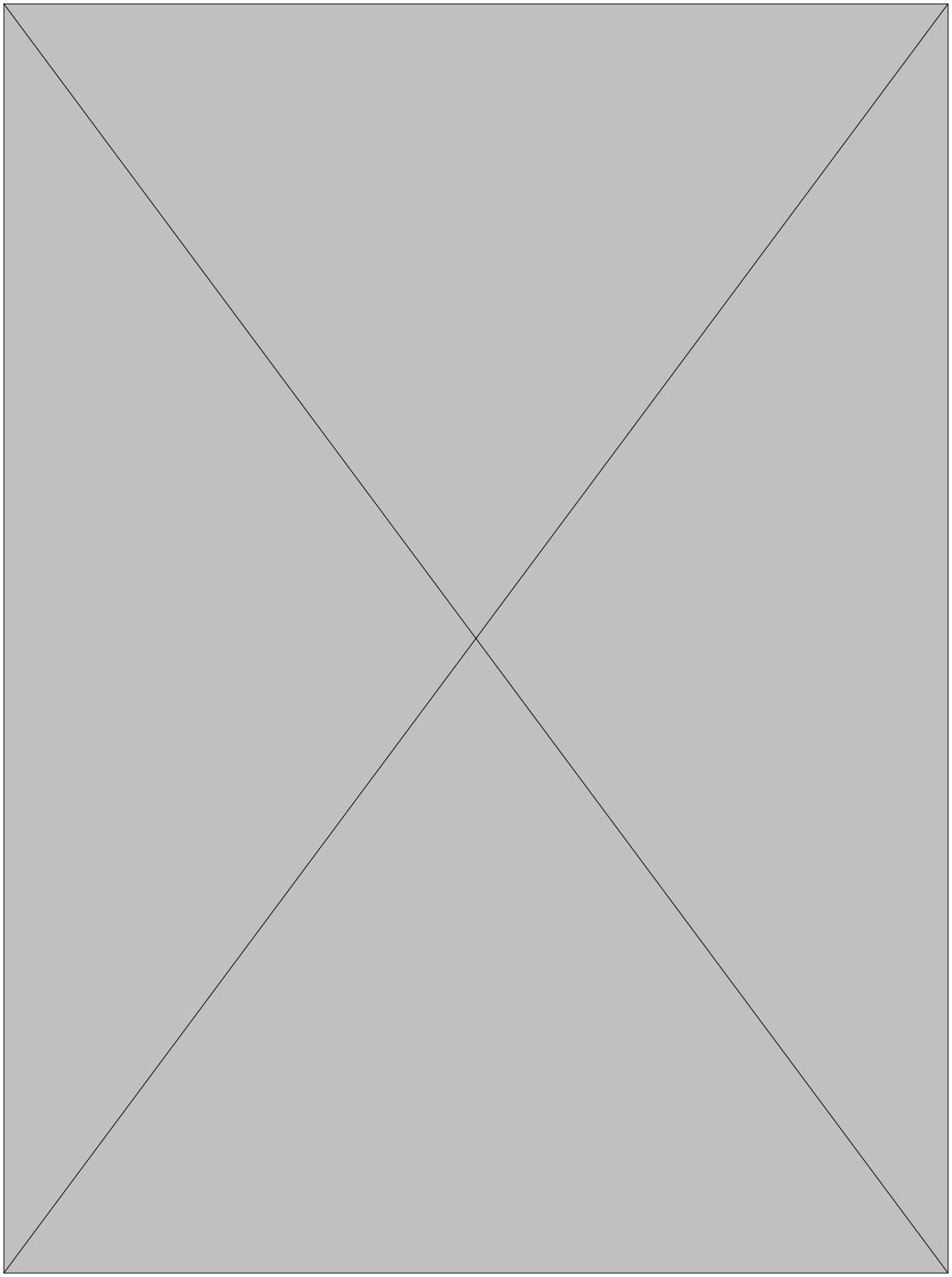
###



--
Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-05-17T18:02:26-04:00
Importance: Normal
Subject: [EXTERNAL] The Big Reveal: Inspired Content at the Energy Summit
Received: 2018-05-17T18:02:34-04:00





To: Robert McEntyre[robert@nmoga.org]
From: Williams, Timothy
Sent: 2018-05-18T09:24:17-04:00
Importance: Normal
Subject: Re: [EXTERNAL] Re: Royalty Policy Committee to meet in Albuquerque, NM on June 6th
Received: 2018-05-18T09:24:54-04:00

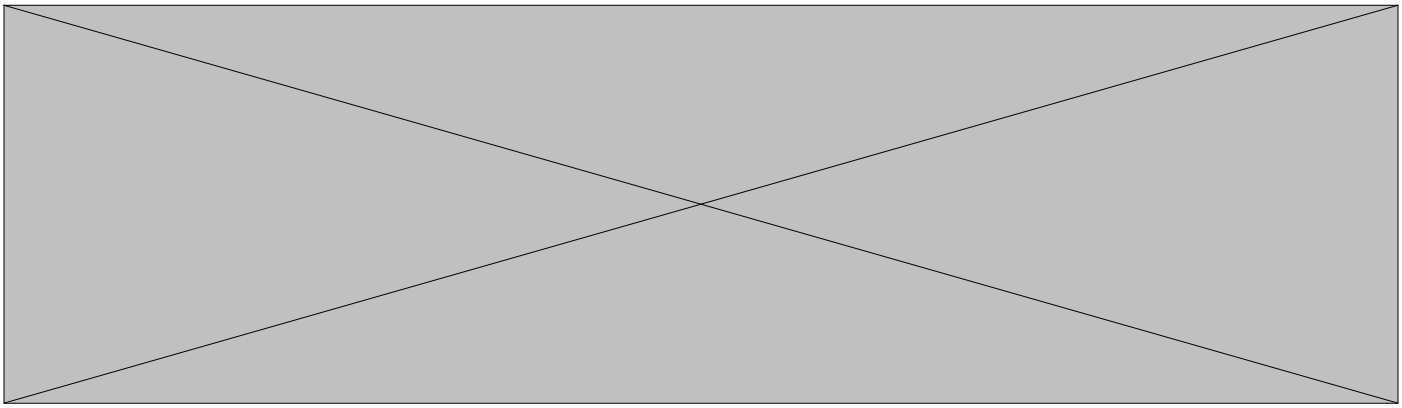
Some as it has a conference line.
Tim

On Thu, May 17, 2018 at 4:48 PM, Robert McEntyre <robert@nmoga.org> wrote:

Thank you, Tim. Appreciate the heads-up. Does this generally drive any media attention when they're held?

From: "Williams, Timothy" <timothy_williams@ios.doi.gov>
Date: Thursday, May 17, 2018 at 2:21 PM
Subject: Royalty Policy Committee to meet in Albuquerque, NM on June 6th

Wanted to make sure your office was aware.



Date: May 17, 2018
Contact: Interior_Press@ios.doi.gov

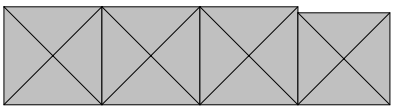
Royalty Policy Committee to meet in Albuquerque, NM on June 6th

WASHINGTON - The Royalty Policy Committee (RPC) will hold its next regularly scheduled full-committee meeting in Albuquerque, NM, June 6, 2018, from 9:00 a.m. to 5:00 p.m. MDT, to receive reports from the three subcommittees, and may vote to make recommendations to the U.S. Secretary of the Interior. The final agenda and meeting materials will be posted before the meeting on the Committee website at www.doi.gov/rpc. All Committee meetings are open to the public. The Committee is composed of 28 state, Tribal, and other stakeholder representatives, and is chaired by Vincent DeVito, Counselor to the Secretary for Energy Policy.

WHAT:	The Regularly Scheduled Meeting of the Royalty Policy Committee
WHO:	Royalty Policy Committee
WHEN:	Wednesday, June 6, 2018 9:00 AM MDT - 5:00 PM MDT
WHERE:	Sheraton Albuquerque Airport Hotel 2910 Yale Blvd SE, Albuquerque, NM 87106
CALL INFO:	Domestic Conference Line [redacted] (b)(5) *Passcode: [redacted] (b)(5) International Conference Line: [redacted] (b)(5) *Passcode: [redacted] (b)(5)

**The meeting is also accessible via WebEx HERE.

###



--

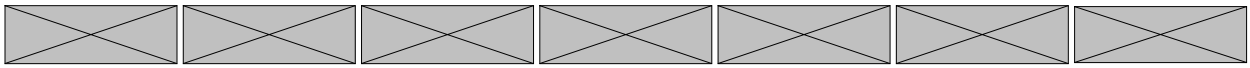
Tim Williams

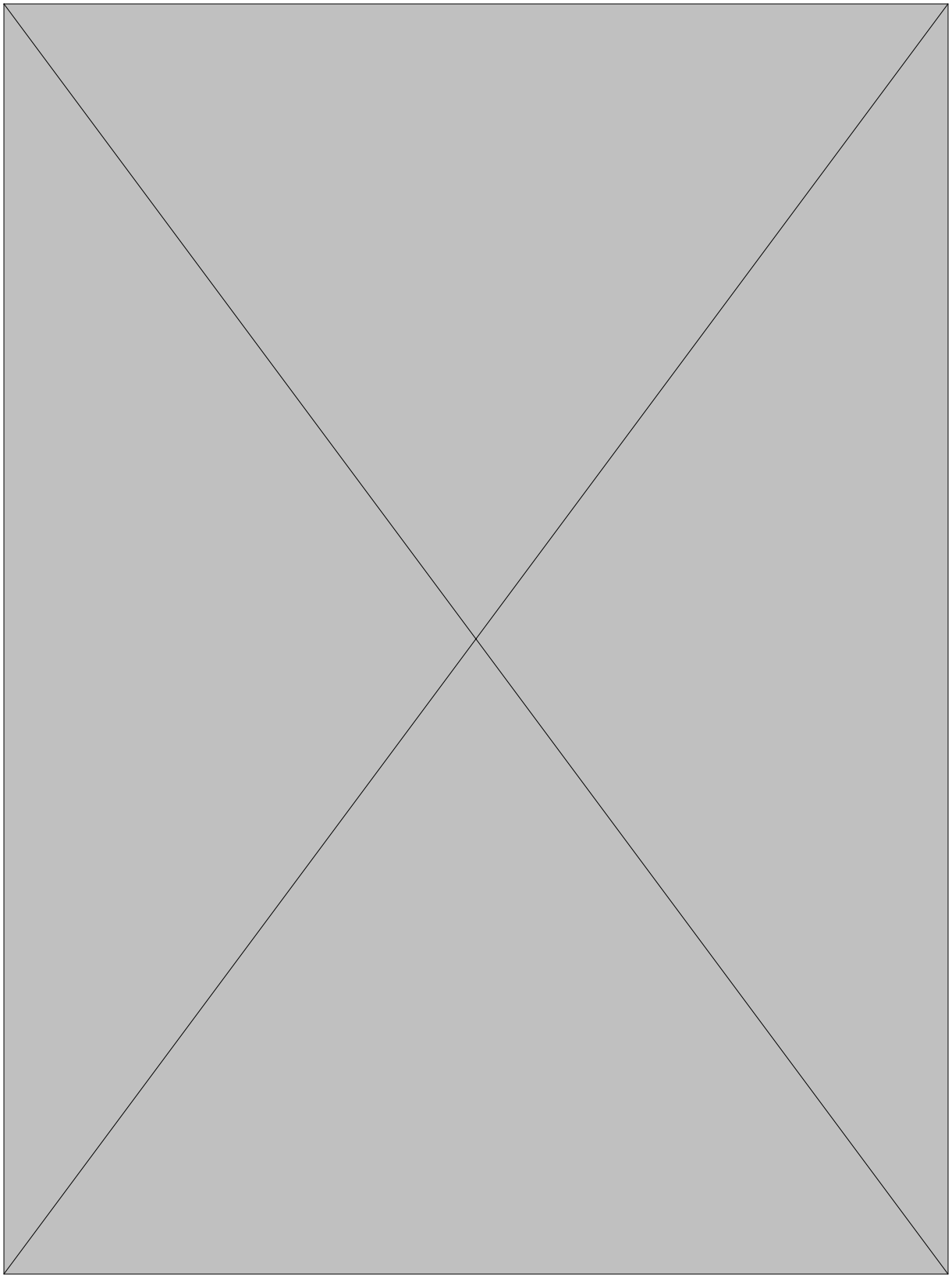
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

--

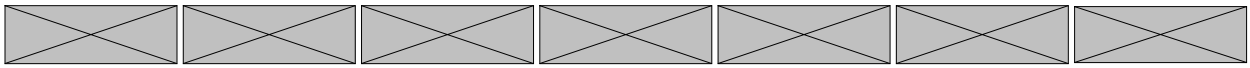
Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

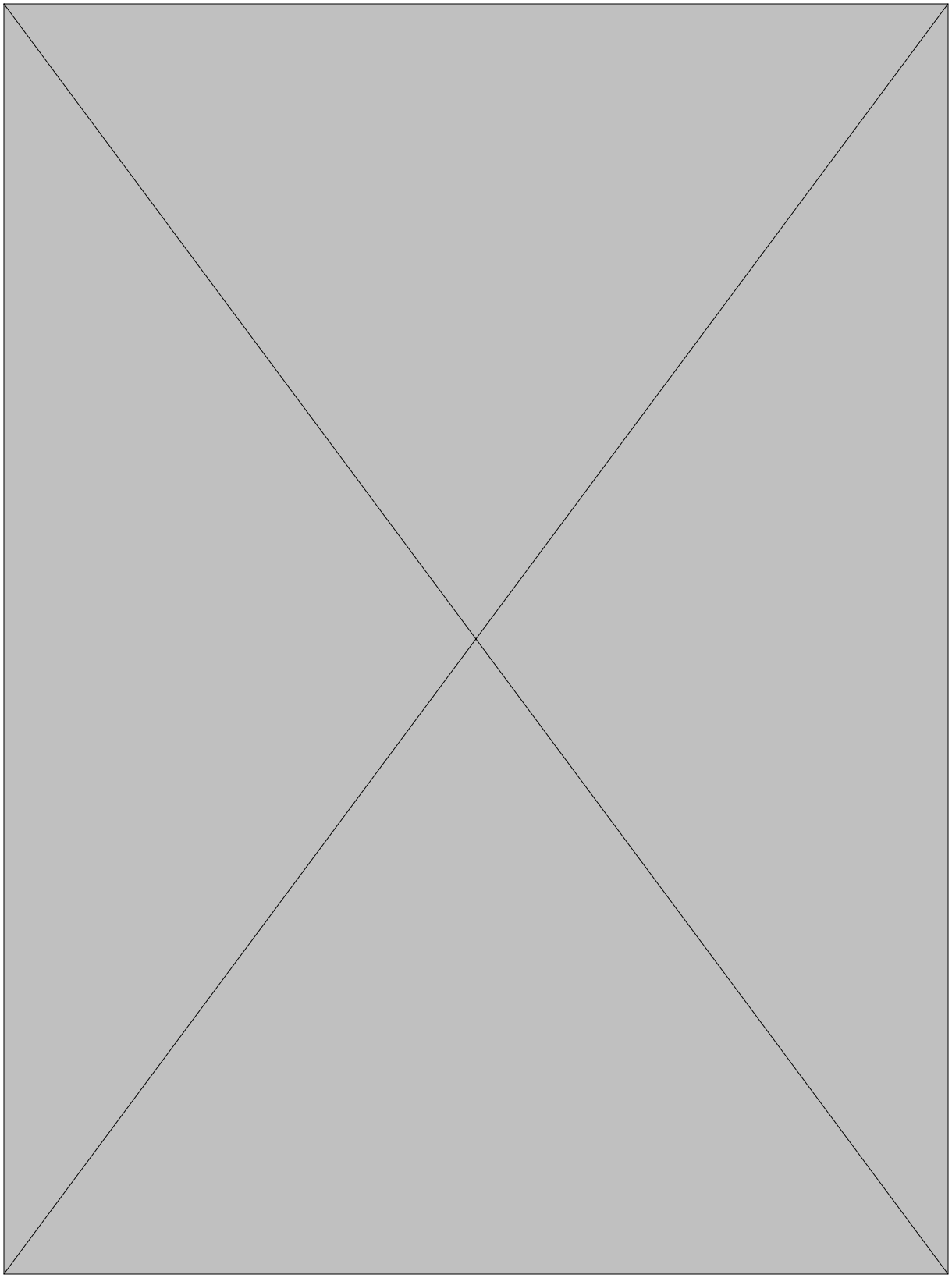
To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-05-31T13:02:28-04:00
Importance: Normal
Subject: [EXTERNAL] Act Now - The Energy Summit Sponsor deadline is coming
Received: 2018-05-31T13:02:41-04:00



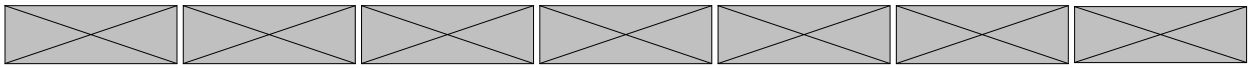


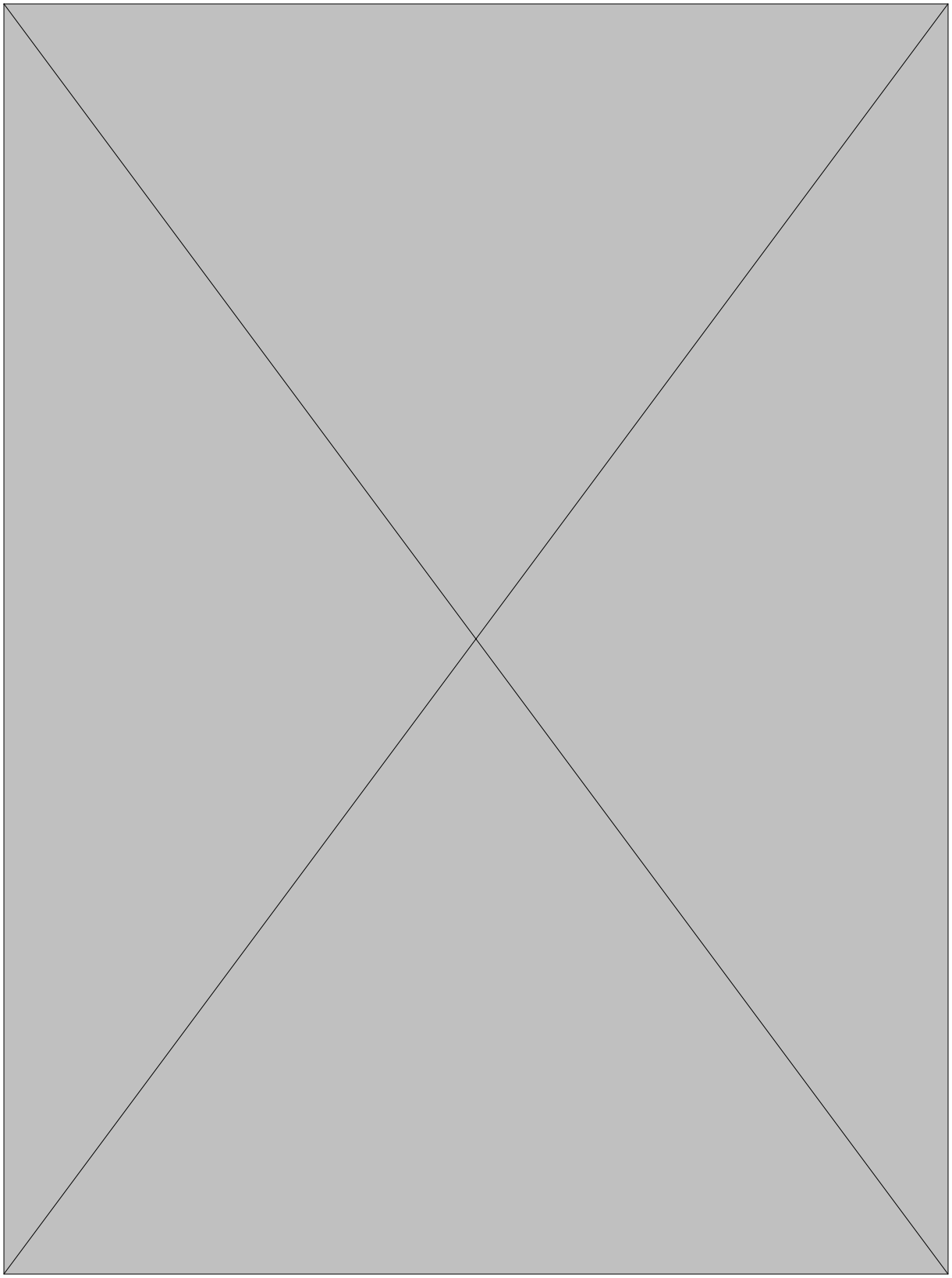
To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-05-31T14:02:29-04:00
Importance: Normal
Subject: [EXTERNAL] Act Now - The Energy Summit Sponsorship deadline is coming - Link Fixed
Received: 2018-05-31T14:02:37-04:00



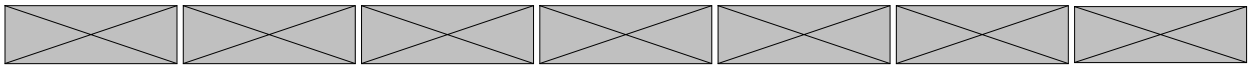


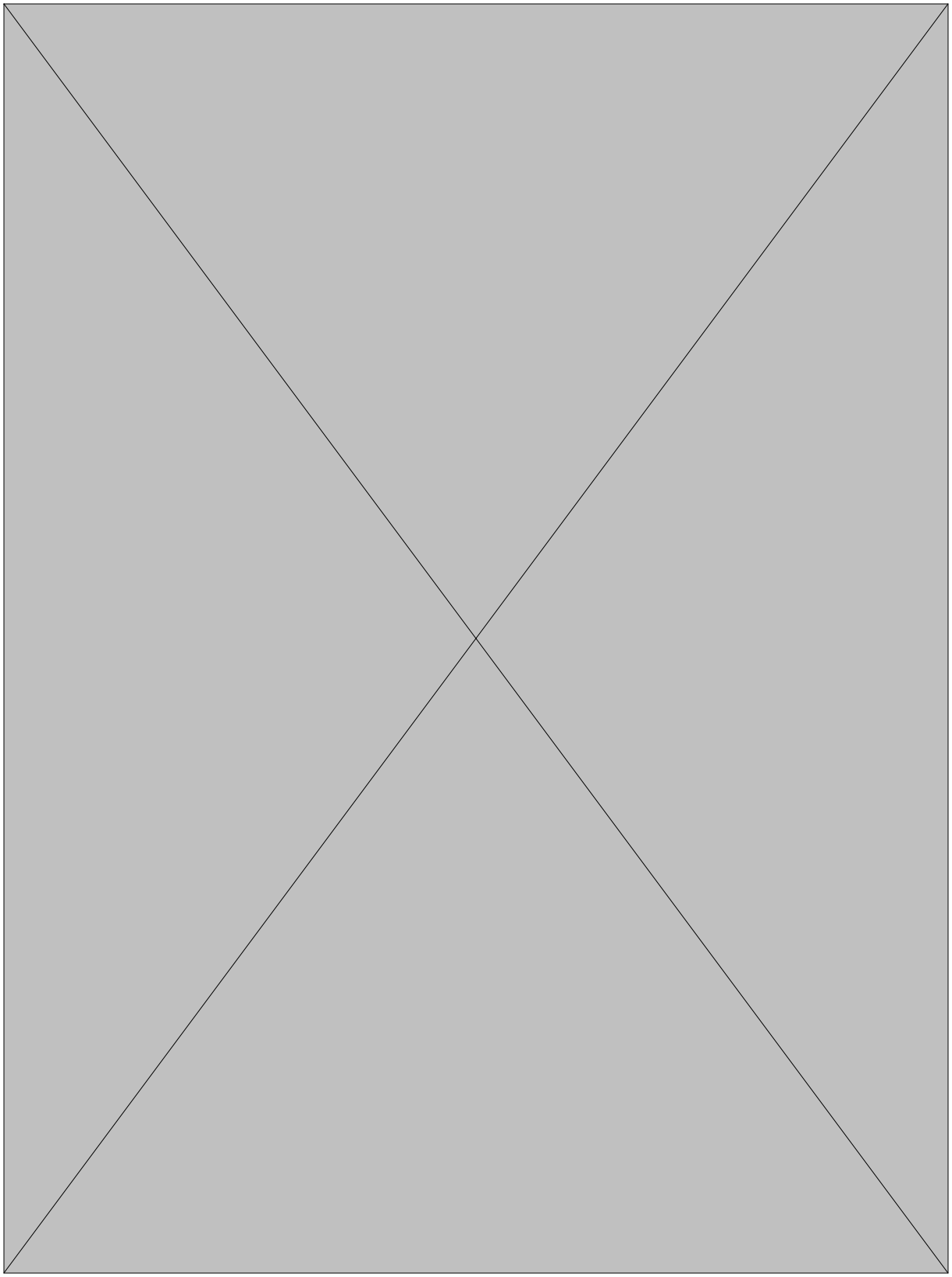
To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-06-01T17:02:23-04:00
Importance: Normal
Subject: [EXTERNAL] Did you forget something?
Received: 2018-06-01T17:03:22-04:00





To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-06-06T15:03:16-04:00
Importance: Normal
Subject: [EXTERNAL] Have You Checked Your Mail?
Received: 2018-06-06T15:03:25-04:00





To: casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]
From: Esther Wagner
Sent: 2018-06-07T12:13:53-04:00
Importance: Normal
Subject: [EXTERNAL] FW: PAW SG NOI Comments
Received: 2018-06-07T12:14:06-04:00
PAW-SG NOI Comments 11-30-17.pdf

Per our phone conversation.

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

From: Esther Wagner
Sent: Thursday, April 26, 2018 2:46 PM
To: 'cally.younger@soi.doi.gov'
Subject: PAW SG NOI Comments

Hi Cally,

Per our phone conversation today, attached are our comments on the Amendments to Wyoming Land Use Plans regarding Greater Sage-Grouse Conservation. Please note the specific comment I referred to starts at the bottom of page 4 to the top of page 5 (it should be highlighted on the attached).

Please let me know if you have any questions.

Thank you.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

PETROLEUM ASSOCIATION OF WYOMING

951 Werner Court, Suite 100
Casper, Wyoming 82601
(307) 234-5333

fax (307) 266-2189
e-mail: paw@pawyo.org
www.pawyo.org

November 30, 2017

Erica Husse
BLM Wyoming State Office
5353 Yellowstone Road
Cheyenne, WY 82009

SENT VIA EMAIL TO: ehusse@blm.gov

RE: Amendments to Wyoming Land Use Plans regarding Greater Sage-Grouse Conservation

Dear Ms. Husse:

The Petroleum Association of Wyoming (PAW) would like to thank the Bureau of Land Management (BLM) for the opportunity to submit comments on issues with the Wyoming land use plans regarding Greater sage-grouse (GRSG) conservation. PAW is Wyoming's largest and oldest oil and gas organization dedicated to the betterment of the state's oil and gas industry and public welfare. PAW members, ranging from independent operators to integrated companies, account for approximately ninety percent of the natural gas and eighty percent of the crude oil produced in Wyoming. PAW supports the revision of portions of the Wyoming land use plans regarding GRSG conservation in order to make the federal land use plans consistent with Wyoming Executive Order 2015-4, Greater Sage-Grouse Core Area Protection.

PAW supports Wyoming Executive Order 2015-4, Greater Sage-Grouse Core Area Protection (EO). The EO was developed through a collaborative process among Wyoming stakeholders and contains Wyoming's state plan for GRSG habitat management based on a core area protection strategy (Strategy) that has been endorsed by the US Fish and Wildlife Service (USFWS) as a viable plan. Through the collaborative process, strongholds were identified where GRSG are present and protection of those areas was provided through the establishment of core areas. The Strategy is consistent with a mitigation hierarchy approach and the protections in the core areas are designed to prevent discernible impacts to GRSG, negating the need for offset mitigation in all but the rarest of instances. An indispensable premise of the Strategy is to protect GRSG by limiting development inside core, while incentivizing development outside core. The Strategy also appropriately provides for adjustments to stipulations based on local conditions and the recognition of valid existing rights. In direct conflict to this basic tenet of the EO, the federal land use and resource management plans for Wyoming, including the United

States Forest Service Sage-Grouse Record of Decision, (RMPs)[1] generally place the same value on all habitat, regardless of whether it occurs inside or outside of core or whether GRSG are actually present. Failing to recognize that core area habitat has a higher value than noncore habitat defeats the incentive to develop outside of core.

PAW understands the importance of avoiding a listing of the GRSG and we believe the EO provides the habitat protection needed to accomplish this through its density and disturbance limitations that protect twenty-three percent of Wyoming as Core, or Priority Habitat Management Areas (PHMAs), and support more than eighty percent of all GRSG in the State. As such, PAW believes revisions need to be made to the RMPs to ensure BLM's management direction follows the parameters established in the EO, thereby providing for consistent management and regulatory certainty throughout the State. Many of the problematic provisions in the RMPs demonstrate a lack of understanding of the federal oil and gas program as is evidenced by ill-conceived measures that are either impossible to implement or are unduly restrictive. Therefore, we recommend federal GRSG land use plan revisions be made on a state-by-state basis and that the Wyoming RMPs provide for clear consistency with the EO. We urge BLM to examine all mechanisms, in addition to plan amendments (such as maintenance actions or Instruction Memoranda), that are appropriate for achieving consistency between the RMPs and the EO. We request, however, that lease deferrals not be imposed during any of these processes.

PRIORITY HABITAT MANAGEMENT AREA BOUNDARIES

Over the past two years since the BLM RMPs were released, industry has been operating under two PHMA boundary maps. This issue was mainly a result of timing. The Wyoming core area map was updated to Version 4 by the Sage-Grouse Implementation Team (SGIT) through a public and science-based process in 2015. During that same time, finalization of the RMPs was taking place and consequently the RMPs incorporated Version 3 of the map. Operating under two separate core area maps created areas that were considered both PHMA and GHMA depending upon whether operators were dealing with the State or the BLM. This was cause for significant delays and confusion on both the project planning and Application for Permit to Drill

[1]Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015.
Worland Field Office Approved Resource Management Plan, September 2015 (as maintained January 2016).
Cody Field Office Approved Management Plan, September 2015.
Buffalo Field Office Approved Management Plan, September 2015.
Record of Decision and Approved Resource Management Plan for the Lander Field Office Planning Area, June 2014.
USDA Forest Service Greater Sage-Grouse Record of Decision, September, 2015. While we understand the Forest Service is conducting their own scoping process in this matter, we feel it is important to convey issues with the Forest Service ROD to BLM as well.

(APD) level. We commend BLM for taking steps to alleviate this issue by adopting Version 4 of the Wyoming Core Area Map through a maintenance action in October, 2017.

While BLM has remedied the issue, the PHMA boundary map being utilized by the USDA Forest Service (USFS) continues to be inconsistent with the Wyoming Core Area Map. Through the land use planning process, the USFS added new areas to PHMA within the State of Wyoming that are neither consistent with any version of the Wyoming Core Area Map nor supported by valid science. It is our understanding that the areas do not contain suitable habitat for GRSG and/or do not support significant populations of GRSG. In order to alleviate confusion and to provide the best science-based protection for GRSG, PAW recommends the USFS revise its PHMA boundaries to be consistent with those in Version 4 of the Wyoming Core Area Map. We further recommend this be done through a maintenance action, much the same as was recently completed by BLM.

PRE-2008 PERMITTED ACTIVITIES

The EO places importance on respecting valid existing rights and specifically exempts pre-2008 permitted activities from having to comply with core area stipulations. The EO states, "[a]ctivities existing or permitted in Core Population Areas prior to August 1, 2008, will not be required to be managed under Core Population Area stipulations."[2] It further goes on to provide that, "[f]ederal and state permitted activities, within a defined project boundary (such as a recognized federal oil and gas unit, drilling and spacing unit, mine plan, subdivision plat, utility ROW, grazing allotment, etc.), shall be allowed to continue within the existing boundary even if the use exceeds recommended stipulations"[3]. No such provisions are provided in the RMPs.

While the RMPs state BLM will respect valid existing rights, they further provide that BLM will "work with proponents holding valid existing leases…to ensure that measurable sage-grouse conservation objectives…are included in all project proposals."[4] It needs to be taken into consideration that when operators planned or initiated projects in or prior to 2008, they did not anticipate inclusion of GRSG protections that have been put in place over the past nine years. Subjecting pre-2008 permitted activities to these stipulations is unreasonable and has the potential to render previously authorized projects uneconomic and/or impossible to complete. As such, PAW recommends the RMPs be revised to specify pre-2008 permitted activities, such as oil and gas units and drilling and spacing units, are not subject to GRSG stipulations.

---

[2] Wyoming Executive Order 2015-4 Greater Sage-Grouse Core Area Protection, July 29, 2015, p. 4.
[3] Id.
[4] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, pg. 28.

The EO also provides that activities permitted outside of core prior to its effective revision date (July 29, 2015) that are now included in core as a result of changes made to the Core Area Map (Version 4) are not subject to core area stipulations. We recommend the RMPs be changed to reflect this provision as well.

NET CONSERVATION GAIN AND COMPENSATORY MITIGATION REQUIREMENTS

PAW maintains the net conservation gain mitigation standard established in the RMPs is unreasonable and needs to be eliminated. Not only do we believe the net conservation gain standard is inconsistent with FLPMA, we also maintain this mitigation standard was nullified by the rescission[5] of the November 3, 2015 Presidential Memorandum that established the net benefit mitigation standard.[6] It must be noted that FLPMA does not authorize BLM to require land users to offset their impacts to achieve a net conservation gain, rather, BLM may only condition land uses to avoid "unnecessary or undue degradation".[7] Through this mandate, FLPMA clearly recognizes that, as part of the multiple-use mandate, some degradation to the public lands may occur. As such, the net conservation gain standard needs to be eliminated throughout the RMPs.

With regard to compensatory mitigation requirements, PAW supports the EO wherein compensatory mitigation is only required in PHMA and only if specific PHMA thresholds (such as maximum density and disturbance thresholds) are exceeded. We further support the idea of consistent application of compensatory mitigation ratios as outlined in the EO's Compensatory Mitigation Framework. In order for the RMPs to be consistent with the EO in these areas, the RMPs need to be changed to eliminate all compensatory mitigation requirements in GHMA and to only require compensatory mitigation in PHMAs when specific thresholds are exceeded. Further, in order to provide consistent and effective protection, the process of project by project compensatory mitigation calculation determinations needs to be removed and BLM needs to instead utilize the State's Compensatory Mitigation Framework.

With regard to the use of compensatory mitigation to receive timing stipulation relief, the exception criteria in the RMPs need to be revised in order for BLM to be able to systematically grant such relief as allowed by the Wyoming Compensatory Mitigation Framework without the need for additional NEPA analysis. As it currently stands, exceptions from timing stipulations are only allowed as follows:

---

[5] Presidential Executive Order on Promoting Energy Independence and Economic Growth, March 28, 2017. Available at: https://www.whitehouse.gov/the-press-office/2017/03/28/presidential-executive-order-promoting-energy-independence-and-economi-1.

[6] Presidential Memorandum: Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment, November 3, 2015. Available at: https://obamawhitehouse.archives.gov/the-press-office/2015/11/03/mitigating-impacts-natural-resources-development-and-encouraging-related.

[7] 43 U.S.C. § 1732(b).

> "The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success. Actions designed to enhance the long-term utility or availability of suitable Greater Sage-Grouse habitat may be exempted from this timing limitation. The BLM can and does grant exceptions to seasonal restrictions if the BLM, in coordination with the WGFD, determines that granting an exception would not adversely impact the population being protected."[8]

As stated above, PAW strongly recommends the RMPs be changed to eliminate the net conservation gain mitigation standard. We further recommend the RMPs be changed to be consistent with EO compensatory mitigation requirements wherein it is only required in PHMA when specific thresholds are exceeded. Also, in the interest of regulatory certainty, we support the use of consistent application of compensatory mitigation ratios as provided in the EO's Compensatory Mitigation Framework.

REQUIRED DESIGN FEATURES

Many of the Required Design Features (RDFs) and Best Management Practices (BMPs) in the RMPs fail to reflect the complexity of oil and gas exploration and development and impose a one-size-fits-all management approach that disregards topography, local conditions, socio-economics and practicality. Many of the RDFs are needlessly restrictive, scientifically unfounded, and ignore specific cause and effect mechanisms. Among other things, the RDFs cause development plans to be delayed in order to facilitate phased development, require altered drilling practices and procedures, and require countless mitigation measures regardless of their feasibility, practicality, or cost. The application of many of the RDFs will render oil and gas development uneconomical.

Of additional concern is that the RMPs impose RDFs in both PHMA and GHMA. As we have mentioned earlier in our comments, the premise of the EO is to provide incentive, through fewer restrictions, for development to occur in GHMA. Also, while the EO is designed to protect GRSG populations, the RMPs create a framework of protecting every lek. Applying RDFs in GHMA blurs the distinction between PHMA and GHMA, thus decreasing the incentive to avoid development in PHMA. While some of the RDFs may prove effective, only those that are reasonable should be incorporated in PHMA and only as recommended measures, not required actions.

---

[8] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, Appendix B - Fluid Mineral Stipulations, page 124.

The EO appropriately recognizes "that adjustments to stipulations may be necessary based upon local conditions, opportunities, and limitations."[9] PAW recommends the same flexibility be provided in the RMPs and that RDFs only be applied in PHMA on a site-specific basis as recommended, not required, measures. PAW maintains that any RDFs or other restrictions contained in the RMPs that go beyond the EO are unjustified and should be eliminated.

NOISE

The noise requirements in the RMPs are excessive and should be eliminated. Not only do the RMPs place noise restrictions in both GHMAs and PHMAs, they "limit noise to less than 10 decibels above ambient measures (20-24 dBA)"[10]. This is particularly egregious when sufficient evidence does not exist showing at what level, if any, anthropogenic noise negatively affects GRSG population behavioral cycles. The 20-24 dBA ambient noise level is not scientifically supported and has not been proven to be representative of average ambient noise on multiple use lands in Wyoming. Further, while the EO does contain noise limitations, they are only required in PHMA. The EO also acknowledges that additional research and information is necessary with regard to noise restrictions and states, "[s]pecific noise protocols for measurement and stipulations for implementation will be developed as additional research and information emerges."[11] As such, PAW strongly recommends any noise restrictions be deferred pending further research.

At the very least, the RMP noise requirements need to be consistent with those contained in the EO. Again, the EO places noise restrictions only in PHMA and provides that, "New project noise levels, either individual or cumulative, should not exceed 10 decibels (as measured by L_{50}) above baseline noise at the perimeter of a lek from 6:00 pm to 8:00 am during the breeding season (March 1 to May 15)."[12] As stated earlier in our comments, a basic tenet of the EO is to encourage development outside PHMA. Imposing unreasonable noise limits outside of PHMA, as the RMPs do, is completely contrary to that premise. Also, the EO only imposes noise restrictions from 6:00 pm to 8:00 am from March 1 to May 15, while the RMPs additionally "[require] noise shields when drilling during the…<u>wintering season</u>" (emphasis added) [13] and require that new compressor stations be placed outside PHMAs. Lastly, the Buffalo RMP

---

[9] Wyoming Executive Order 2015-4, p. 4.
[10] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, Appendix C – Required Design Features, p. 131.
[11] Wyoming Executive Order 2015-4, Attachment B, p. 8.
[12] Id.
[13] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, Appendix C – Required Design Features, p. 131

imposes the additional requirements to "[r]educe noise from industrial development or traffic, especially in breeding and brood-rearing habitats"[14] and "[m]inimize noise levels and locations of compressors and generators within connectivity areas."[15] These provisions that go above and beyond what is required in the EO are excessive and need to be removed.

The noise restrictions imposed by the RMPs are unreasonable and impractical, particularly as sufficient evidence does not exist showing at what level, if any, anthropogenic noise negatively affects GRSG behavior. BLM has not analyzed or justified why noise restrictions are required outside of PHMAs and outside of the lekking period. As such, the noise restrictions in the RMPs need to be deferred until further research and information becomes available or, at the very least, they need to be changed to be consistent with those contained in the EO.

WINTER CONCENTRATION AREAS

The determination of restrictions to be placed on Winter Concentration Areas (WCAs) needs to be deferred pending further research. There is a lack of understanding of what, if any, level of activity poses disturbance to GRSG in WCAs. The State of Wyoming, through the SGIT, will be conducting a scientific study to determine the appropriate thresholds to place on WCAs. Due to the fact that surface activities are seasonally prohibited in WCAs from December 1 to March 14, there needs to be clear knowledge and proof that No Surface Occupancy (NSO) disturbance thresholds are warranted during those timeframes.

The RMPs are similar to the EO in that they prohibit "surface disturbing and/or disruptive activities in sage-grouse winter concentrations areas from December 1 – March 14."[16] However, while the EO permits production and maintenance activities to take place during seasonal stipulations, the RMPs do not provide this necessary exception. As a matter of environmental health and safety, the RMPs need to be changed to allow for production and maintenance activities to take place as necessary while seasonal use restrictions are taking place.

The Buffalo RMP also includes a provision to its WCA seasonal restriction that "dates may be expanded by up to 14 days prior to or subsequent to the above dates."[17] This same provision is provided in both the RMPs and the EO with regard to nesting, breeding and brood-rearing seasonal restrictions; however, the Buffalo RMP is the only plan that applies the same exception to WCAs. PAW takes issue with this exception to both seasonal stipulation

---

[14] Buffalo Field Office Approved Management Plan, September 2015, Appendix C – Best Management Practices and Required Design Features, p. 312.
[15] Id. at 320.
[16] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, p. 36.
[17] Buffalo Field Office Approved Management Plan, September 2015, p. 43.

timeframes in that it removes a level of regulatory certainty when planning for development to take place. Operators need to be provided with ample notice that they are going to be affected by this change in order to maintain regulatory certainty.

WCAs are described as areas "where large numbers of Core Population Area Greater sage-grouse congregate and persistently occupy between December 1 and March 14."[18] Identification of WCAs differs from the RMPs to the EO. The EO states:

> "Specifically, winter concentration areas, defined as places where large numbers of Core Population Area Greater sage-grouse congregate and persistently occupy between December 1 and March 14, should be identified and protected. Identification of winter concentration areas should be based on habitat features and repeated observations of winter use by biologically significant numbers of Greater sage-grouse (e.g., groups of 50 Greater sage-grouse)…"[19]

While the RMPs provide a much more detailed description of what habitat features should be present in order to qualify as a WCA, they also provide that WCAs may consist of as few as 25 GRSG. PAW maintains in order to be consistent with the EO, the RMPs need to be revised to clarify that identification of WCAs is based on groups of 50 or more PHMA GRSG. It is imperative that BLM only designate WCAs in the RMPs after the areas have been designated as such by the SGIT and incorporated into the EO.

There is still much to be learned with regard to appropriate disturbance thresholds and seasonal restrictions in WCAs. The EO states, "the State of Wyoming will develop appropriate local, science-based standards to manage disturbance in identified and mapped winter concentration areas."[20] As such, PAW strongly recommends any stipulations with regard to WCAs be deferred until new and emerging science is completed.

ADAPTIVE MANAGEMENT

With regard to adaptive management, PAW recommends the RMPs be revised to be consistent with the EO. The EO provides:

> "[i]if declines in affected leks (using a three-year running average during any five year period relative to trends on reference leks) are determined to be caused by the project, the operator will propose adaptive management responses to increase the number of birds. If the operator cannot demonstrate a restoration

[18] Wyoming Executive Order 2015-4, Attachment A, p. 5.
[19] Id.
[20] Wyoming Executive Order 2015-4, p. 5.

> of bird numbers to baseline levels (established by pre-disturbance surveys, reference surveys and taking into account regional and statewide trends) within three years, operations will cease until such numbers are achieved."[21]

The RMPs provide a much more in depth adaptive management plan which includes soft triggers which are "any deviation from normal trends in habitat or population in any given year"[22] and hard triggers which are indicators "that the species is not responding to conservation actions, or that a larger-scale impact or set of impacts is having a negative effect."[23] The response to both triggers is to make changes to management, either to apply more restrictive measures or defer continued operations. We question the validity and ability of BLM to affect the prescribed responses since they will result in changes to management prescriptions and likely require subsequent NEPA analysis. Of particular concern is that the RMPs do not include a provision detailing what will happen if GRSG populations return to baseline levels. PAW believes the State's adaptive management plan is sufficient, particularly as it includes a provision that operations will be allowed to resume once baseline populations return. As such, PAW recommends BLM revise their adaptive management plan to be consistent with the EO.

ROW AVOIDANCE AND EXCLUSION AREAS

With regard to federal right-of-way (ROW) access to private minerals, PAW believes the PHMA avoidance and exclusion provisions in the RMPs could result in a significant portion of private minerals in PHMAs no longer being accessible, either through lack of access or exorbitant compensatory mitigation costs. The RMPs provide that "PHMAs will be managed as right-of-way (ROW) avoidance areas for new ROW or special Use Authorization (SUA) permits" and state that "new ROWs/SUAs will be located within designated RMP corridors or adjacent to existing ROWs/SUAs where technically feasible."[24] If operators are unable to site their ROWs within the designated areas, they are required to apply disturbance from the new ROWs toward the PHMA 5% disturbance threshold which may result in excessive compensatory mitigation costs in order to access private minerals.

USFS LEASE DEFERRALS

During the time the RMPs were being drafted, leases in GRSG PHMAs were deferred pending completion of the documents. Since finalization of the RMPs, BLM has initiated leasing within PHMA, except in areas where the surface is managed by the USFS Thunder Basin National

---

[21] Wyoming Executive Order 2015-4, Attachment B, p. 10.
[22] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, p. 37.
[23] Id.
[24] Id at 60.

Grasslands (TBNG). BLM should work closely with the USFS to immediately resume the leasing approval process within the TBNG.

Again, thank you for the opportunity to provide comments amendments to the land use plans regarding GRSG conservation. Please feel free to contact me with any questions.

Sincerely,

Esther Wagner

Esther Wagner
Vice President – Public Lands

cc: Mary Jo Rugwell, BLM Wyoming State Director
Larry Claypool, BLM Wyoming Associate State Director
Mike McGrady, Policy Advisor, Wyoming Governor Matthew Mead's Office
Bob Budd, Chairman, Sage-Grouse Implementation Team
John Shivik, Wildlife Biologist, US Forest Service

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Tripp Parks
Sent: 2018-06-08T11:58:16-04:00
Importance: Normal
Subject: [EXTERNAL] RE: IB 2018-061,NEPA Efficiencies for Oil and Gas Development
Received: 2018-06-08T11:58:29-04:00

Thanks Tim, very much appreciated.

From: Williams, Timothy <timothy_williams@ios.doi.gov>
Sent: Thursday, June 7, 2018 7:34 AM
Subject: Fwd: IB 2018-061,NEPA Efficiencies for Oil and Gas Development

Good Afternoon, Your office might want to take a look at this.

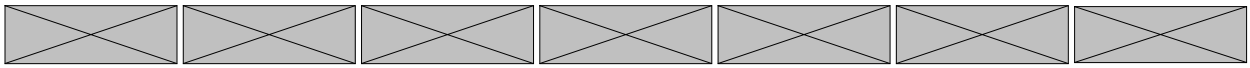
IB 2018-061, NEPA Efficiencies for Oil and Gas Development, is now available.

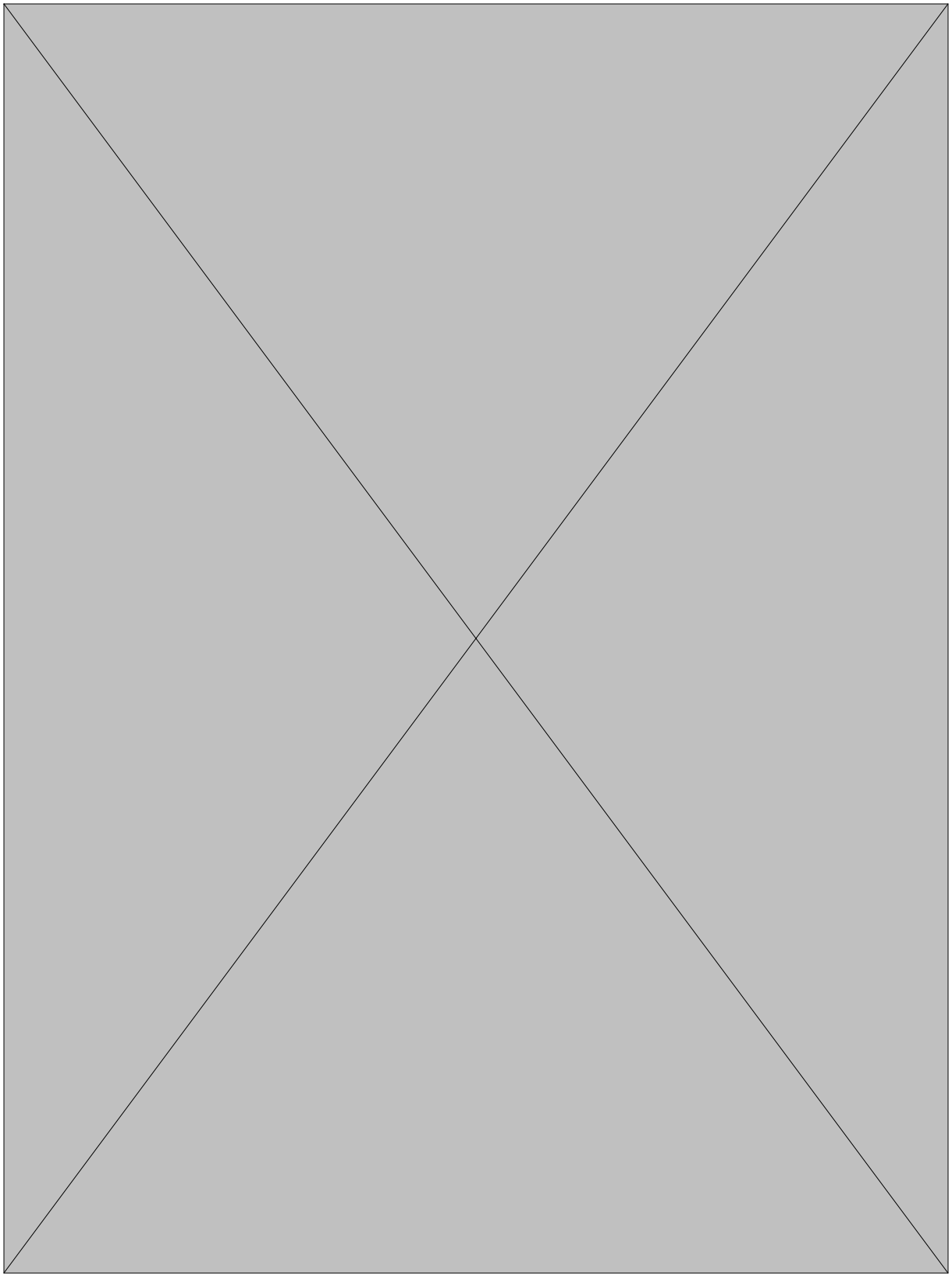
Purpose: The BLM intends to comply with the National Environmental Policy Act (NEPA) in the most expeditious and appropriate manner. To facilitate this goal, the BLM will consider, when evaluating proposals for fluid mineral development, whether it can rely on existing NEPA analyses for assessing the impacts of a proposed action, such as an application for permit to drill (APO) or infrastructure proposal, or whether there is an applicable categorical exclusion (CX) and therefore neither an Environmental Assessment (EA) nor an Environmental Impact Statement (EIS) is required. The purpose of this IB is to remind BLM offices of the existing procedures for streamlining NEPA review under applicable statutes, regulations, and guidance and to encourage BLM offices to use these tools consistently and effectively. These tools include: (1) Determinations of NEPA Adequacy (DNAs), (2) statutory and administrative CXs, and (3) oil and gas field-wide programmatic NEPA analyses based on reasonable foreseeable development scenarios that can be used to expedite compliance with NEPA at the APD stage.

Thanks.

--
Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-06-13T18:02:58-04:00
Importance: Normal
Subject: [EXTERNAL] Find the Perfect Sponsorship to Fit Your Company's Needs
Received: 2018-06-13T18:03:05-04:00





To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]; Wynn, Todd[todd_wynn@ios.doi.gov]
From: Samantha McDonald
Sent: 2018-06-19T11:52:17-04:00
Importance: Normal
Subject: [EXTERNAL] June 28 Meeting, 2-5PM
Received: 2018-06-19T11:52:27-04:00

Tim or Todd,

Do either of you have more information on the meeting for next week? Room location, topics, presentation from attendees, etc?

Our midyear meeting is next week, and I'm trying to get everything handled before I head out of town.
Sam

Sam McDonald
Director of Government Relations

Independent Petroleum Association of America
1201 15th St., NW, Ste. 300
Washington, DC 20005
www.esawatch.org / **www.ipaa.org**

Phone 202.857.4722 | **Email** smcdonald@ipaa.org


88th Midyear
MEETING
JUNE 25-26 | AUSTIN, TX
HYATT REGENCY LOST PINES RESORT & SPA

To: casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]; cally.younger@sol.doi.gov[cally.younger@sol.doi.gov]
From: Esther Wagner
Sent: 2018-06-19T15:47:17-04:00
Importance: Normal
Subject: [EXTERNAL] Sage-Grouse Timing Stipulation Exceptions
Received: 2018-06-19T15:47:28-04:00
MEMORANDUM - BLM TLS EXCEPTIONS.PDF

Hi Casey,

Per our phone conversation today, attached is the memorandum from Ryan Lance and Governor Dave Freudenthal regarding the Background for Rational TLS Exception Process.

Please let me know if you have any questions.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

MEMORANDUM

TO: ESTHER WAGNER

FROM: RYAN LANCE AND DAVE FREUDENTHAL

SUBJECT: BACKGROUND FOR RATIONAL TLS EXCEPTION PROCESS

DATE: JUNE 12, 2018

This Memorandum responds to recent assertions by Duane Spencer (Deputy Wyoming State Director, Lands and Minerals) that BLM will not grant seasonal stipulation relief within sage grouse areas on BLM lands. And further, BLM will not do what the State of Wyoming does… citing the notion that BLM has not analyzed the State's approach to timing stipulation relief and his view that the State is granting exceptions too freely. The reasoning for this conclusion is not entirely clear but it appears to conflate two issues. First, whether BLM has legal authority under the 2015 Sage Grouse RMPA to grant exceptions and waivers, absent a showing of "no harm" to the species. Second, whether BLM has actually analyzed Wyoming's approach to this issue. This writing will:

(1) Address the legal authority for exceptions within the 2015 Sage Grouse RMP;
(2) Review of Wyoming EO's and the BLM/Wyoming MOU in May of 2017; and
(3) Review BLM's numerous reviews, analyses, and instances where it has integrated the Wyoming approach in planning and permitting determinations.

1. EXCEPTION AUTHORIZATION EXISTS IN 2015 SAGE GROUSE RMP

Wyoming BLM, according to Duane Spencer, will not be granting exceptions to timing stipulations related to sage grouse. While this statement is offered based on Mr. Spencer's assertion that it is required by law and the 2015 Greater Sage-Grouse RMPA, it is simply an arbitrary exercise of administrative discretion by the Wyoming BLM State Office. This position is contrary to the spirit and letter of the RMPA. It may be Mr. Spencer's policy preference but such a policy is not supportable as a legal or practical matter.

Exceptions and modifications have long been a part of the BLM regulatory process. This historical process is embodied in the current BLM RMP's. Our immediate focus is on the timing stipulations and the ability of BLM to grant an exception thereto (MDSSS 7, MDSSS8, MDSSS9, MDSSS10 found in Appendix B, pp. 124-127).

While the language among these varies slightly, each of them establishes alternative criteria which can be met in order to obtain stipulation relief.

The exception language in MDSSS7 (applies to Core Only), reads:

"EXCEPTION: The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood rearing success. Actions designed to enhance the long-term utility or availability of suitable Greater Sage-Grouse habitat may be exempted from this limitation. The BLM can and does grant exceptions to seasonal restrictions if the BLM, in coordination with the WGFD, determines that granting an exception would not adversely impact the population being protected."

This language establishes three separate standards for granting an exception. This language is not in the conjunctive, i.e. connected by "and" which would require the contents of all three sentences to be met prior to granting relief. Quite the contrary is true. Each sentence is a separate basis for relief as demonstrated by the construction of each sentence and the paragraph, which logically flows from the language in the RMPA, which is as follows:

1. "The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood rearing success."

   RATIONALE: This is equivalent to demonstrating the timing stipulation should not have attached to the area. The timing stipulation would only have been created if there was a belief that activity would "…affect reproductive displays, nest attendance, egg or chick survival, or early brood rearing success." This sentence covers areas for which the stipulation was not appropriate to begin with or where circumstances no longer justify the application of the stipulation.

2. "Actions designed to enhance the long-term utility or availability of suitable Greater Sage-Grouse habitat may be exempted from this limitation."

   RATIONALE: This second basis for granting an exception to timing limitations is rooted in a different standard than the first scenario. Under this exception authority, presumably the Authorized Officer would be obligated to review the activity as offered or conditioned. Then, in the context of a NEPA review, a determination would be whether "the actions [are] designed to enhance the long-term utility or availability of suitable Greater Sage-Grouse habitat [and are]

exempted from this limitation." Such authority would cover projects accompanied by operator committed measures, operational restrictions or some type of offset (operator sponsored activity, bank credit, etc.) that enhances the long-term utility or availability of suitable sage-grouse habitat. This standard applies to the entire "Greater Sage-Grouse habitat" area, not just the immediate vicinity of the proposed activity.

3. "The BLM can and does grant exceptions to seasonal restrictions if the BLM, in coordination with WGFD, determines that granting an exception would not adversely impact the population being protected."

   RATIONALE: This final standard for granting an exception provides a third, independent basis for granting an exception and reflects the 2015 RMPA commitment to work in conjunction with the State of Wyoming to protect the sage grouse population on a statewide scale consistent with Executive Order 2015-4. It requires a determination by BLM, "in coordination with WGFD" that the population being protected is not "adversely" impacted. The coordination with WGFD is important because the population being protected by WGFD is the statewide population as provided in the Wyoming core area strategy. Further supporting the broader perspective on the population to be protected as statewide is that sentence number 1 allows the grant of an exception based on the immediate area only if that particular population's habits or habitat is disturbed.

The position taken by Duane Spencer can be summarized as "unless you can show that granting an exception will not impact the species, no relief is available." If this were truly the case, the second and third provisions would not need to be included. Mr. Spencer's interpretation would also mean that activities to improve or enhance long term viability or utility could only be exempted after a demonstration that the stipulation was not necessary per the first exception criterion.

Exception language in MD SSS8 and MD SSS 9 is identical, so the above analysis applies.

MD SSS 10 contains slightly different language so it is reproduced below.

"EXCEPTION: The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not impair the function or suitability of the winter concentration area, or it is determined that the winter concentration area is not occupied by concentrated populations of Greater Sage-Grouse during the period of concern. Actions designed to enhance the long-term utility or availability of suitable Greater Sage-Grouse habitat may be exempted from this timing limitation. The BLM can and does grant exceptions to seasonal restrictions

if the BLM, in coordination with WGFD, determines that granting an exception would not adversely impact the population being affected."

Again, there are three separate exception authorizing provisions setting forth three separate bases for exceptions. Criteria 2 and 3 are the same as the previous MD SSSs and the same analysis applies. Criterion 1 is a variant of the prior MD SSS's language, but again it is a demonstration that an exception may be granted where the timing stipulation is not applicable to the facts on the ground, i.e. it was originally not necessary or is no longer appropriate based on the action being proposed.

2. SAGE GROUSE EXECUTIVE ORDERS WERE ANALYSED IN 2015 RMP AMENDMENT AND THE 2017 MEMORANDUM OF UNDERSTANDING

Wyoming's approach to sage-grouse management has reflected a commitment to balance between conservation and resource utilization from the outset. This approach is similar to BLM's multiple use obligation under FLPMA. A recognition of existing rights, data based decisions, strategies to avoid a listing (the BLM parallel is the Sensitive Species policy), assuring the viability of the statewide sage grouse population and habitat, collaboration with federal agencies and, finally, utilization of exceptions or waivers, if, and only if, avoidance and minimization have been fully employed. This section will focus on: (1) the Executive Orders approach to the grant of exceptions and waivers, if, and only if, avoidance and minimization have been fully employed, the project is subjected to detailed analysis and offsets are required if residual impacts exist; and (2) a brief discussion of the Memorandum of Understanding among Wyoming and various federal agencies entered in 2017 which is, in many ways, a summary and capstone of a decade of collaboration between BLM and the State of Wyoming.

HISTORY OF WYOMING EXECUTIVE ORDERS ANALYZED IN 2015 RMP AMENDMENTS

A. Executive Order 2008-2 recognized the importance of waivers in the following language:

"6. Incentives to enable development of all types outside Core Population Areas should be established (these should include stipulation waivers, enhanced permitting processes, density bonuses and other incentives). However, such development should be designed and managed to maintain populations, habitats and essential migration routes outside Core Population Areas." Because lease exceptions and modifications are actually less intrusive than a full stipulation waiver, it is clear that the language also applies to modifications and exceptions, in addition to the expressly referenced "waivers."

B. Executive Order 2010-4 continued the recognition of development within protected areas subject to severe limitations and offsets. Portions of the EO are reproduced below.

"3. New development or land uses within Core Population Areas should be authorized or conducted only when it can be demonstrated the activity will not cause declines in Greater Sage-Grouse populations."

"7. For activities outside of Core Population Areas, no more than a one-quarter (1/4) mile no surface occupancy standard and a two (2) mile seasonal buffer should be applied to occupied leks. Incentives to enable development of all types should be established (these should include stipulation waivers, enhanced permitting processes, density bonuses, and other incentives). Development scenarios should be designed and managed to maintain populations, habitats and essential migration corridors where possible. It is recognized that some incentives may result in reduced numbers of sage grouse outside of Core Population Areas." Again, because lease exceptions and modifications are less intrusive than a full stipulation waiver, clearly the language also applies to modifications and exceptions, in addition to the expressly referenced "waivers."

Attachment B "Permitting and Stipulation Development in Sage Grouse Core Areas" outlines a Permitting Process for those operating in sage grouse core population areas. It is a complex process requiring significant information from the project proponent. The provided information is subject to a thorough analysis by Wyoming Game and Fish, including a calculation of Maximum Disturbance and identification of habitat and boundaries (Project Impact Analysis Area), a total Disturbance Analysis, Habitat Assessment and a Determination of Existing and Allowable Suitable Habitat Disturbance. This analysis along with any operator comments is forwarded to the relevant permitting agency.

Attachment B also contains General and Special Stipulations related to surface disturbance, surface occupancy, seasonal use, transportation, overhead lines, noise, vegetation removal, sagebrush treatment, monitoring/adaptive response, reclamation, etc. Attachment B also allows for consideration of stipulation relief in individual cases. Such language exists within the surface occupancy discussion and explicitly states under Seasonal Stipulations that "Activities may be allowed during seasonal closure periods determined on a case-by-case basis." Within Attachment B under specific stipulations, there is an entire section devoted to "Process Deviation of Undefined Activities".

"4. Process Deviation or Undefined Activities: Development proposals incorporating less restrictive stipulations or development that is not covered by these stipulations may be considered depending on site-specific circumstances and the proponent must have data demonstrating that the alternative development proposal will not cause

declines in sage-grouse populations in the core area. Proposals to deviate from standard stipulations will be considered by a team including WGFD and the appropriate permitting agencies, with input from the US Fish and Wildlife Service. Project proponents need to demonstrate that the project development would meet at least one of the following conditions:

a. No suitable habitat is present in one contiguous block of land that includes a least a 0.6-mile buffer between the project and suitable habitat;
b. No sage-grouse use occurs in one contiguous block of land that includes at least a 0.6 mile buffer between the project area and adjacent occupied habitat, as documented by total absence of sage-grouse droppings and an absence of sage-grouse activity for the previous ten years;
c. Provisions of a development/mitigation plan has been implemented and demonstrated by previous research not to cause declines in sage-grouse populations. The demonstration must be based on monitoring data collected and analyzed with accepted scientific based techniques."

C. Executive Order 2011-5 essentially re-states EO 2010-4 with modifications not relevant to the exception process and mitigation.

D. Executive Order 2013-3 was a brief order dealing with grazing.

E. Executive Order 2015-4 continues the language and principles of the prior EO's with more detail and clarification. A significant addition is Attachment H, which memorializes Wyoming's approach to compensatory mitigation. Attachment H "Compensatory Mitigation" reads in full.

"Compensatory mitigation is an essential component of a long-term conservation strategy, where avoidance and minimization are either inadequate or impossible to assure perpetuation of a species of concern. By its nature, compensatory mitigation may be applicable "on-site", but may often be achieved more effectively "off-site" in order to maintain a landscape-scale result that is beneficial to the species, and not a particular population or group of animals. Compensatory mitigation must be secured prior to any negative impact to a species or its habitat occurs.

Compensatory mitigation that occurs "off-site" should meet the complete life-cycle of the species, be secured for an adequate time to assure the replacement of resources that are lost as a result of any negative action impacting the species, and be critically evaluated to provide adequate biological assurances that the initial impact, and any associated mitigation will maintain the species and its habitat until the impact has been removed and the species is recovered at the site of impact. Compensatory mitigation must provide an adequate ratio of assurance that the conservation of the species will

not be compromised due to the failure of the compensation measures to adequately protect the species, including management changes, natural disasters, and other impacts.

The State of Wyoming recognizes compensatory mitigation as a strategy that should be used when avoidance and minimization are inadequate to protect Core Area Greater sage-grouse. Any compensatory mitigation proposal must include approval from the State of Wyoming to assure the species considered is adequately protected, and that the benefits proposed for a species under the jurisdiction of the State of Wyoming are real, adequate, and fully realized prior to the time of acceptance."

Each of the gubernatorially adopted Executive Orders tied to sage-grouse conservation has contemplated relief from stipulations (timing in particular) based on a thorough case-by-case analysis.

2017 MEMORANDUM OF UNDERSTANDING

On March 1, 2017, Governor Mead completed the execution of a Memorandum of Understanding (MOU) among various federal agencies, including BLM. The stated purpose of the MOU was "To Promote a Cohesive and Consistent Conservation Strategy for the Greater Sage-Grouse and its Habitat in Wyoming". Prior to execution of the MOU, the State of Wyoming worked with various stakeholders, including BLM and the statutorily sanctioned Wyoming Sage Grouse Implementation Team, of which BLM is a member, to further develop and clarify the principles set forth in Appendix H to EO 2015-4. Wyoming's Sage Grouse coordinator indicates the revised Appendix H was developed over a 4-year period and "…BLM was on every committee and attended most meetings". BLM's signature on the MOU demonstrates a full and complete analysis and understanding of the State process. The MOU focused on creating an integrated approach to evaluating impacts within sage-grouse habitat and the utilization of compensatory mitigation, if and when avoidance and minimization prove inadequate to eliminate residual impacts. While the document does not compromise the legal authority of any of the entities, it clearly indicates each signatory agency intended to exercise its administrative discretion under existing law, regulations, etc., to implement a coordinated approach. Within the section designated "C. BLM COMMITMENTS" (MOU, p.5) the following language appears:

"When BLM determines through the NEPA analysis that residual impacts from anthropogenic disturbance cannot be avoided or minimized, the BLM agrees to incorporate the Framework as the primary tool as the primary tool to evaluate and quantify the debits and calculate the number of credits required for compensatory mitigation. It is recognized that the BLM or the project proponent may desire to utilize an alternative mechanism other than the Framework and it is further recognized that the BLM or the project proponent may desire to apply compensatory mitigation in a variety of manners, including proponent-initiated projects, conservation banks, exchanges, and other methods."

The next paragraph relates to instances where BLM believes compensatory mitigation is required even though the proposal is compliant with Wyoming EO 2015-4. It states, in part:

"In those cases the State of Wyoming may elect to demonstrate achievement of either a no net loss or net conservation gain as prescribed by the appropriate federal plan on at least an acre-to-acre replacement basis and will provide documentation to the appropriate federal agency for use in the appropriate NEPA analysis and to the Wyoming Compensatory Mitigation Oversight Group."

3. BLM HISTORY OF ANALZING AND RELYING UPON THE WYOMING STATE PLAN

The suggestion that BLM has not analyzed the Wyoming plan, including the use of compensatory mitigation in the context of granting seasonal exceptions is contrary to the record. In addition to the EO and MOU discussion above, the BLM documented its analysis and integration of the Wyoming Plan (from disturbance calculation to mitigation) in the 2015 ARMPA. Page I-30 of the ROD contains the following language:

"This ROD approves three RMPs---Buffalo, Cody and Worland---and an amendment to six RMPs (Wyoming RMPA). All of the Wyoming plans are built on the foundation for GRSG management established by and complementary to the Governor's Executive Order 2011-05, Greater Sage-Grouse Core Area Protection (Core Area Strategy; Wyoming Office of the Governor 2011) and updated Executive Order (2015-4), by establishing similar conservation measures and focusing restoration in the same key areas most valuable to GRSG."

The Wyoming-specific portion of the 2015 RMPA makes numerous references signaling an understanding of, and support for the Wyoming approach. For example, "…support population objectives set by the State…" (Management Objective (MO) number 3) and "…develop any necessary resource solutions in cooperation with State…" (MO number 9).

These same Management Objectives speak directly to mitigation, including the following: "When a proposed fluid mineral development project on an existing lease could adversely affect GRSG populations or habitat, the BLM will work with the lessees, operators, or other project proponents to avoid, reduce and mitigate adverse impacts to the extent compatible with lessees' right to drill and develop fluid minerals."

Under "General Management Direction (GMD)" the references to the Wyoming strategy are even clearer. Typical of the statements are the following excerpts:

"MD GMD 2…. When necessary, offsite compensatory mitigation will be applied consistent with Wyoming's Core Area Strategy."

"MD GMD 3: Utilize the Wyoming Sage-grouse Implementation Team (SGIT) and local working group plans or other state plans, analyses, and other sources of information to guide development of conservation objectives for local management of sage grouse habitats. The BLM will collaborate with appropriate federal agencies and the State of Wyoming as contemplated in Governor Executive Order 2013-3...." (See, also, GMDs 14, 15, 16, 17 and 20)

There are specific Management Directives related to implementation of the BLM Sensitive Species Status policies commencing at page 35 of the Wyoming RMP. Under "MD SSS 4: Within PHMA's specific to management for GRSG, all RMP's are amended as follows" the following language appears:

"In Wyoming, the USFWS has found that 'the core area strategy, if implemented by all landowners via regulatory mechanism, would provide adequate protection for sage-grouse and their habitats in the state.' The BLM will implement actions to achieve the goal of net conservation gain consistent with the Wyoming Strategy (EO2015-4) that 'includes compensatory mitigation as a strategy that should be used when avoidance and minimization are inadequate to protect Core Population Area Greater sage-grouse.'"

Appendix D is a compilation drawn from the Wyoming Core Area Strategy and the COT Report. The parallels to the Wyoming strategy are too numerous to catalogue. Appendix D includes adoption of the CEQ mitigation hierarchy, authority for project authorization with compensatory mitigation to offset residual impacts, analytical guidance, pledges of cooperation with Wyoming and other governmental entities, etc. It is impossible to read Appendix D and arrive at a conclusion that BLM has not analyzed, in detail, the Wyoming strategy including the concept of employing compensatory mitigation to grant exceptions, etc. This would include Appendix H to the then-existing Executive Order. The principles embodied in Appendix H have not changed. The only thing that has changes is that the Appendix now contains more detailed guidance to operators and a more detailed description of the analysis undertaken by WGFD.

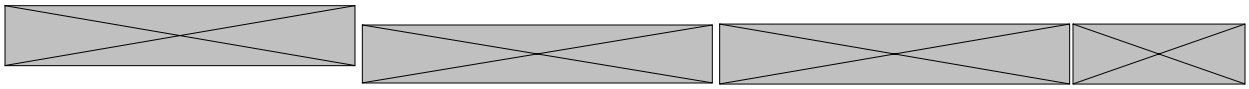
Actions taken by BLM remain subject to NEPA review. BLM has clearly reserved the right, on federal lands, to consider and impose development restrictions different than the State of Wyoming. Those restrictions and conditions may or may not include residual impact offsets as defined by Wyoming. But, such decisions must still be based on site-specific analysis and should logically be made in consideration of the USFWS' and federal courts' prior endorsement of the State of Wyoming's core area strategy. Further, given BLM's involvement as a member of both the Sage Grouse Implementation Team and signature on the 2017 MOU and considering the myriad references to incorporating the core area strategy into its planning and decision

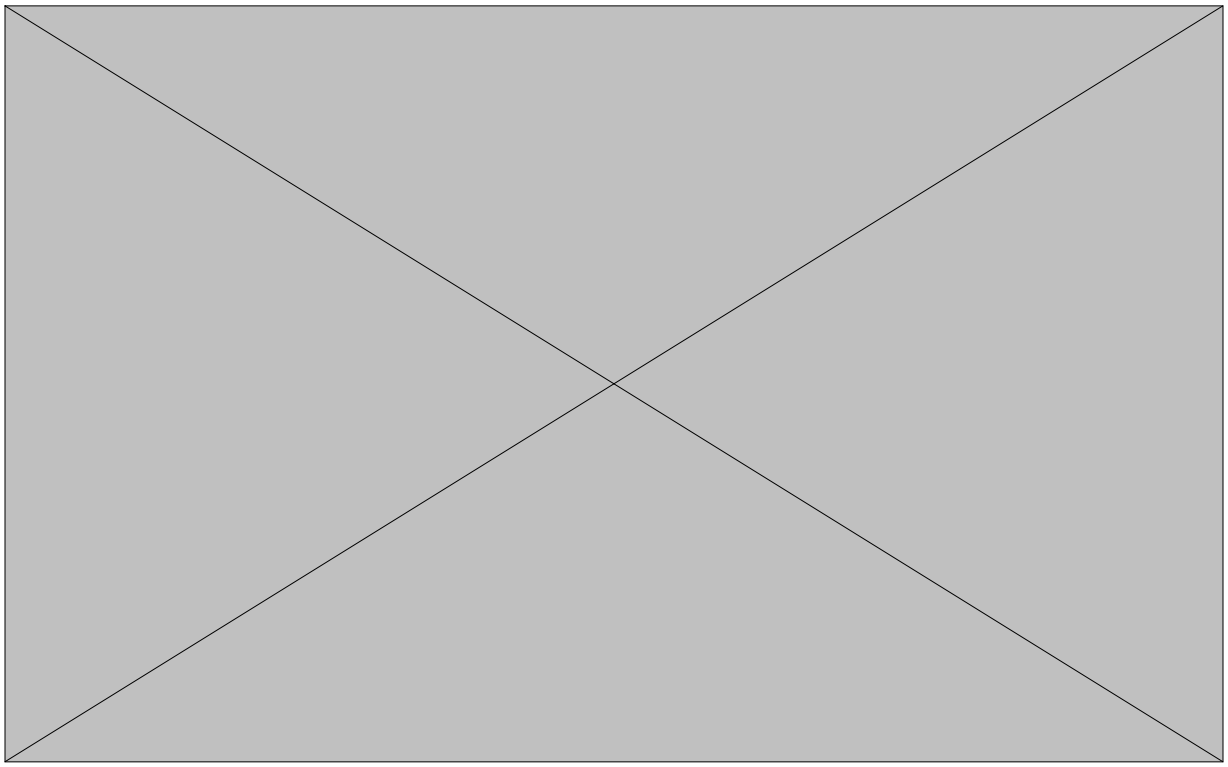
matrices, the agency's actions should bear some resemblance to the commitments and outlined in those documents. However, BLM's decisions should not be based in a blanket, conclusory statement offered by a Wyoming BLM state office employee that seems contrary to the express language contained in BLM's RMPs, agreements with the state and sister federal agencies and his agency's long-tenured and active participation in federal and state coordinating groups like the Sage Grouse Implementation Team. If Wyoming provides recommendations including offsets under the mandated coordination provisions or an operator proposes operator committed measures, including offsets, BLM is obligated to give fair consideration to these recommendations or proposals.

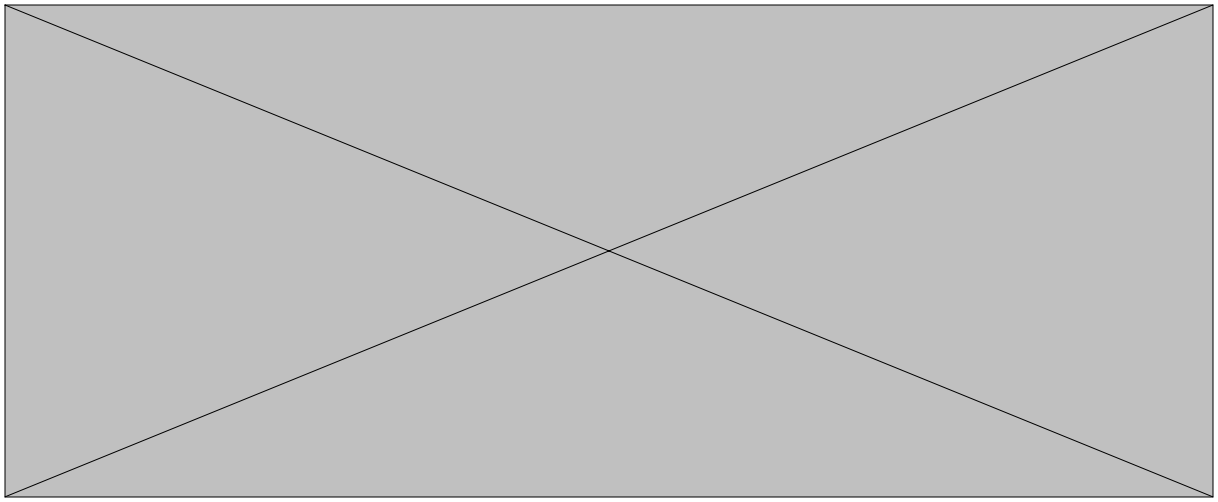
By plowing a wholly separate path in the space of granting exceptions to timing limitations, particularly in GHMA/non-core, Mr. Spencer and BLM undermines the central piers that support the core area strategy and served as the bases for the USFWS decision to not list the sage-grouse: to protect existing core areas and secure the unsecured core habitat in Wyoming.

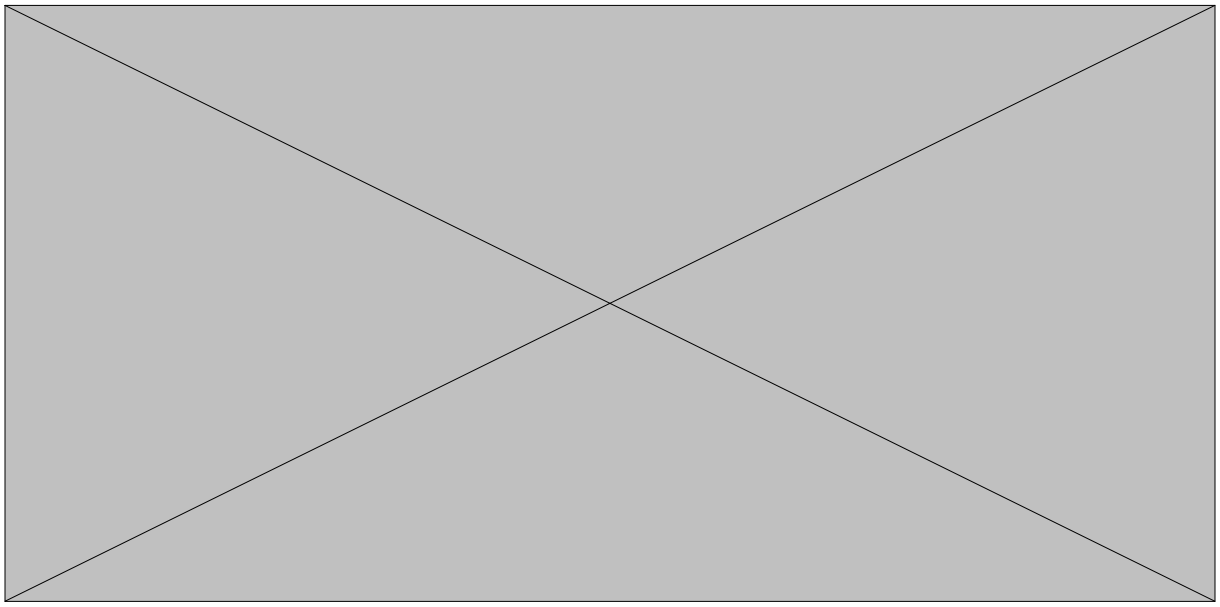
It is contrary to the written record and the memory of the state and other actors that have been involved in the many different facets of sage-grouse management and planning in Wyoming to suggest BLM has not analyzed or understood the Wyoming Plan and Framework. Are we to believe BLM was unaware of the contents of the Wyoming strategy in the face of the written record? Dwayne Spencer seems focused on the fact that the latest version of Appendix H emerged after the 2015 BLM sage grouse amendments. However, the revised Appendix H did not change the original intent of EO 2015-4. It simply codified existing practice, clarified details and clarified the road map for those seeking to operate in sage grouse areas. Most importantly, BLM was, and is, an integral, active member of the working groups and SGIT that prepared and recommended the detailed Appendix H to Governor Mead for adoption.

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-06-19T16:02:13-04:00
Importance: Normal
Subject: [EXTERNAL] Get Your COGA Cycling Jersey Before Friday
Received: 2018-06-19T16:02:21-04:00









To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]; Wynn, Todd[todd_wynn@ios.doi.gov]
From: Samantha McDonald
Sent: 2018-06-20T10:30:49-04:00
Importance: Normal
Subject: [EXTERNAL] IPAA Company Addition for June 28
Received: 2018-06-20T10:30:56-04:00

Tim and Todd,
We've invited two companies with significant federal lands nexus to attend next week's meeting. I'm pleased to say that EOG Resources has agreed to attend.

Representing the company will be **the VP of Government Relations, Eric Dille** who is a wiz on FWS, BLM and royalty issues. We also have an invite out to a smaller independent company's CEO but haven't yet heard back. Will let you know when we do.
Here is Eric's bio:

> Mr. Dillé is a Professional Geologist and Registered Environmental Manager with over 30 years of professional experience in government relations, multi-disciplinary energy, environmental and engineering projects. As the Vice President of Government Relations he is responsible managing government relations and legislative advocacy for EOG Resources operations in the U.S. He is responsible for identification and strategic engagement of legislative and regulatory issues at the federal, state, and local government levels affecting corporate operations. He and his staff actively work with federal, state, and local legislators and regulatory officials in building consensus and obtaining support for policy decisions and challenges faced the by the oil and gas industry that are necessary to drill and produce. He has extensive working knowledge with the federal and state legislative process and procedures, all the major environmental laws such as the National Environmental Policy Act, Federal Land Policy and Management Act, the Forest Management Act, Clean Water Act, Clean Air Act, and Resource Conservation and Recovery Act. He has a working knowledge of natural resource issues affecting oil and gas operations including, air quality, water quality, biological resources, land use policies, etc. He has worked in oil and gas exploratory drilling operations as an on-site geologist, Landman, and mud logger. Mr. Dillé has managed nationwide technical programs for environmental, geological, and engineering disciplines.

Sam

Sam McDonald
Director of Government Relations

Independent Petroleum Association of America
1201 15th St., NW, Ste. 300
Washington, DC 20005
www.esawatch.org / **www.ipaa.org**

Phone 202.857.4722 | **Email** smcdonald@ipaa.org


88th Midyear
MEETING
JUNE 25-26 | AUSTIN, TX
HYATT REGENCY LOST PINES RESORT & SPA

To: Long, Amanda[adlong@blm.gov]
Cc: Cara Macdonald[cara_macdonald@ios.doi.gov]; Casey Hammond[casey_hammond@ios.doi.gov]; Yolando Mack-Thompson[ymackthompson@blm.gov]; Ursula Massey[umassey@blm.gov]
From: Brian Fakharzadeh
Sent: 2018-06-28T10:24:39-04:00
Importance: Normal
Subject: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request
Received: 2018-06-28T10:26:15-04:00

Good morning,

We would be honored to have Mr. Hammond speak at our annual meeting. The official "keynote" speaker role has been taken by EPA Region 8 Administrator Benevento, but if the title of "keynote" isn't important, we definitely have room. If that's acceptable, please let me know, and I'll be happy to share all other details of the event for logistics and planning purposes.

The annual meeting begins August 8th with an opening reception and dinner (frequently with a speaker during that dinner) which is open to our members and their families. The conference itself is all day August 9th, with speakers and presentations from Western Energy Alliance, and our board nominations and meeting at the end of the day. At the conclusion of business on the 9th, the conference is adjourned.

Please let me know if timing works and if there's a desire to speak; I know our membership would be very interested to hear from Mr. Hammond.

Best,

Brian Fakharzadeh

Vice President of Development and Operations
Western Energy Alliance
1775 Sherman Street, Ste. 2700
Denver, CO 80203
[redacted] (b)(6) Direct
303-623-0987 Main

bfakharzadeh@westernenergyalliance.org

From: Long, Amanda [mailto:adlong@blm.gov]
Sent: Wednesday, June 27, 2018 11:54 AM
To: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>
Cc: Cara Macdonald <cara_macdonald@ios.doi.gov>; Casey Hammond

<casey_hammond@ios.doi.gov>; Yolando Mack-Thompson <ymackthompson@blm.gov>; Ursula Massey <umassey@blm.gov>
Subject: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Good Afternoon Mr. Fakharzadeh,

I am in receipt of a request that was sent to Mr. Brian Steed of the Bureau of Land Management in January to speak as a keynote speaker at the upcoming Western Energy Alliance Annual Meeting on August 9th. It is my understanding that Mr. Steed will be unable to attend and that the request has been forwarded to the Office of the Assistant Secretary for Land and Minerals for consideration.

Deputy Assistant Secretary for Land and Minerals, Casey Hammond, has agreed to accept the invitation as keynote speaker if the invitation still stands. Please advise if a keynote speaker is still needed or if the request has been satisfied at this point.

Deputy Secretary Hammond appreciates the opportunity and looks forward to participating at this and future events as needed. Thanks.

Sincerely,

Amanda Long
Executive Assistant
Office of the Assistant Secretary for Land & Minerals Management
Department of Interior - Bureau of Land Management
(202) 208-2197

To: Long, Amanda[adlong@blm.gov]
Cc: Cara Macdonald[cara_macdonald@ios.doi.gov]; Casey Hammond[casey_hammond@ios.doi.gov]
From: Brian Fakharzadeh
Sent: 2018-07-10T13:05:12-04:00
Importance: Normal
Subject: RE: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request
Received: 2018-07-10T13:05:53-04:00

Good afternoon,

Thank you so much for helping arrange this! We're excited to have Mr. Hammond speak, and I know our membership will be very interested to hear from him.

The conference is at the Ritz-Carlton, Bachelor Gulch 0130 Daybreak Ridge Road Avon, CO 81620. The contact (reservation) line for the Ritz Carlton is 1-800-576-5582, though as I mentioned on the phone, Doug Benevento from EPA Region 8 wasn't able to get a room as of this morning; I'm not sure why. We do have a room block with significantly reduced rates which closes at the end of the day today, so it may be worth calling today if you can and mention you're with Western Energy Alliance's annual meeting. As I mentioned on the phone this morning, I'm not sure if they don't offer a GSA rate, or if the room block was sold out; I know it was close to being sold out a couple of days ago.

The agenda below is rough, as I'm still working on exact times for the speakers and presentations. I'm thinking I'd like to have Mr. Hammond speak from 1:30 – 2:30 on August 9th, unless that conflicts with travel. We would like roughly 45 minutes of speaking, with 10-15 minutes of Q&A.

I'll work on getting you cost break down of meals, but again Mr. Hammond is welcome to join for any and all of the conference. Thank you again, and if there's anything you need from me immediately, don't hesitate to ask. Email is very typically the best way to reach me, should you need something urgently.

Wednesday, August 8th:

3:00 - 6:00 pm: Registration desk open
5:00 - 6:00 pm: Opening reception
6:00 - 8:00 pm: Family dinner

Thursday, August 9th:

7:30 am: Registration desk opens
7:30 am - 9:00 am: Family breakfast
8:30 am – 12:15 pm: Morning session, including Alliance updates and speakers
12:15 - 1:30 pm: Family lunch
1:30 – 4:00 pm: Afternoon session including award presentations and speakers
4:15 - 5:00 pm: Membership meeting, Board elections, and the passing of the gavel from outgoing Board Chairman Rich Frommer to incoming Chairman Jeff Lang
5:00 pm: Conference attendees dismissed

Brian Fakharzadeh

Vice President of Development and Operations
Western Energy Alliance
1775 Sherman Street, Ste. 2700
Denver, CO 80203
[redacted] Direct
303-623-0987 Main

bfakharzadeh@westernenergyalliance.org

From: Long, Amanda [mailto:adlong@blm.gov]
Sent: Tuesday, July 10, 2018 10:13 AM
To: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>
Cc: Cara Macdonald <cara_macdonald@ios.doi.gov>; Casey Hammond <casey_hammond@ios.doi.gov>
Subject: Re: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Good Afternoon Mr. Fakharzadeh,

It was a pleasure speaking with you. As discussed, Mr. Hammond is available to speak within the most appropriate capacity as you determine. I will provide you a bio and head shot of Mr. Hammond if possible, and look forward to receiving the agenda and logistics from your office.

Thanks

Amanda Long
Executive Assistant
Office of the Assistant Secretary for Land & Minerals Management
Department of Interior - Bureau of Land Management
(202) 208-2197

On Thu, Jun 28, 2018 at 10:24 AM, Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org> wrote:

Good morning,

We would be honored to have Mr. Hammond speak at our annual meeting. The official “keynote” speaker role has been taken by EPA Region 8 Administrator Benevento, but if the title of “keynote”

isn't important, we definitely have room. If that's acceptable, please let me know, and I'll be happy to share all other details of the event for logistics and planning purposes.

The annual meeting begins August 8th with an opening reception and dinner (frequently with a speaker during that dinner) which is open to our members and their families. The conference itself is all day August 9th, with speakers and presentations from Western Energy Alliance, and our board nominations and meeting at the end of the day. At the conclusion of business on the 9th, the conference is adjourned.

Please let me know if timing works and if there's a desire to speak; I know our membership would be very interested to hear from Mr. Hammond.

Best,

Brian Fakharzadeh

Vice President of Development and Operations
Western Energy Alliance
1775 Sherman Street, Ste. 2700
Denver, CO 80203
[redacted] (b)(6) Direct
303-623-0987 Main

bfakharzadeh@westernenergyalliance.org

From: Long, Amanda [mailto:adlong@blm.gov]
Sent: Wednesday, June 27, 2018 11:54 AM
To: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>
Cc: Cara Macdonald <cara_macdonald@ios.doi.gov>; Casey Hammond <casey_hammond@ios.doi.gov>; Yolando Mack-Thompson <ymackthompson@blm.gov>; Ursula Massey <umassey@blm.gov>
Subject: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Good Afternoon Mr. Fakharzadeh,

I am in receipt of a request that was sent to Mr. Brian Steed of the Bureau of Land Management in January to speak as a keynote speaker at the upcoming Western Energy Alliance Annual Meeting on August 9th. It is my understanding that Mr. Steed will be unable to attend and that the request has been forwarded to the Office of the Assistant Secretary for Land and Minerals for consideration.

Deputy Assistant Secretary for Land and Minerals, Casey Hammond, has agreed to accept the invitation as keynote speaker if the invitation still stands. Please advise if a keynote speaker is still needed or if the request has been satisfied at this point.

Deputy Secretary Hammond appreciates the opportunity and looks forward to participating at this and future events as needed. Thanks.

Sincerely,

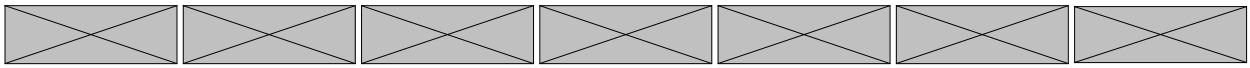
Amanda Long
Executive Assistant
Office of the Assistant Secretary for Land & Minerals Management
Department of Interior - Bureau of Land Management
(202) 208-2197

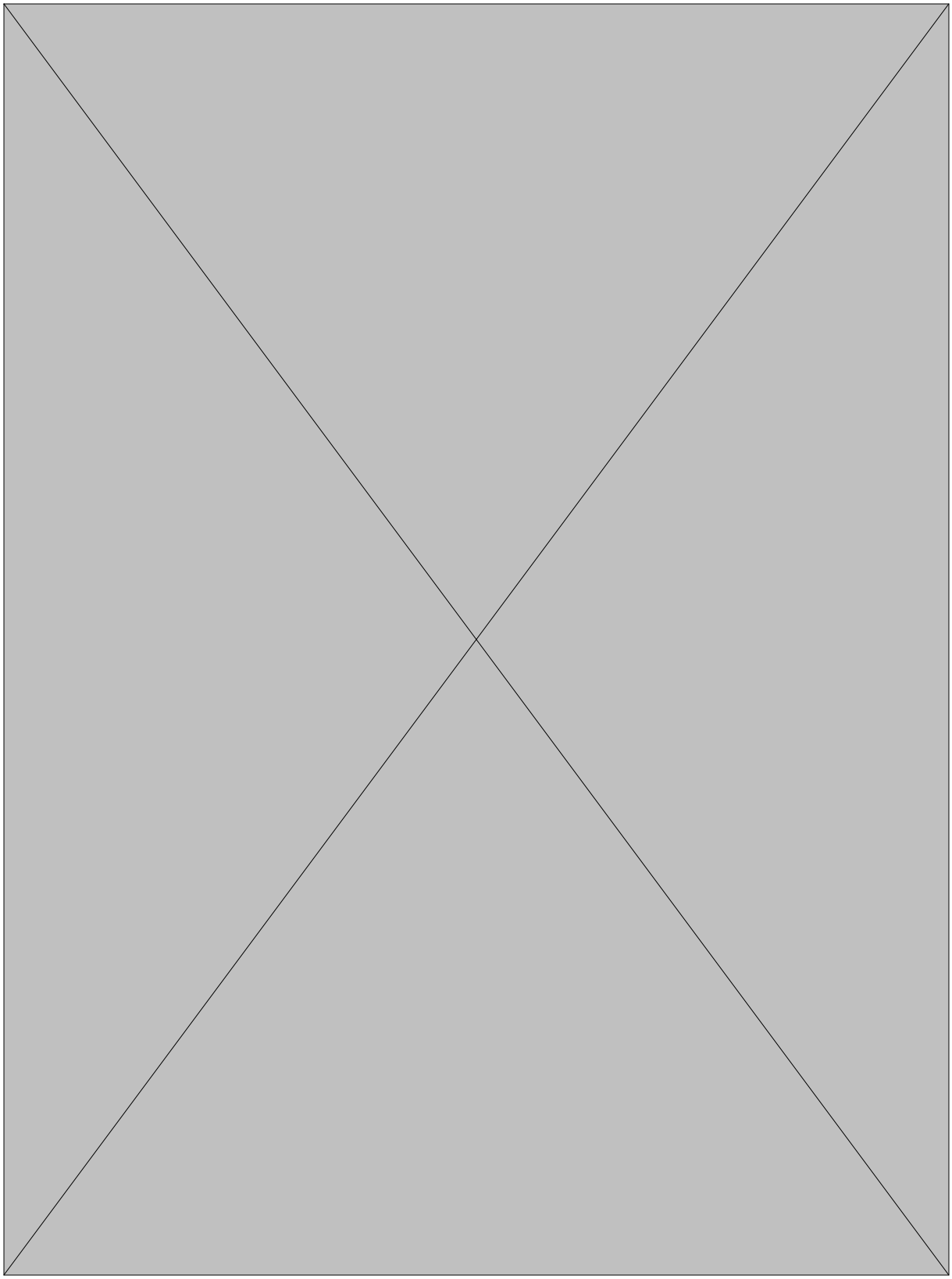
To: bfakharzadeh@westernenergyalliance.org[bfakharzadeh@westernenergyalliance.org]
From: Hammond, Casey
Sent: 2018-07-10T13:05:37-04:00
Importance: Normal
Subject: Out of Office: return 7/11 RE: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request
Received: 2018-07-10T13:05:43-04:00

I am out of the office until Wednesday, July 11th. I will have occasional access to email during this time. If you need immediate assistance please contact Cara Lee Macdonald at 202-208-2654.

--
Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-07-10T18:37:09-04:00
Importance: Normal
Subject: [EXTERNAL] Get The Energy Summit early registration price discount before July 20
Received: 2018-07-10T18:37:17-04:00





To: casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]
From: Esther Wagner
Sent: 2018-07-12T10:52:27-04:00
Importance: Normal
Subject: [EXTERNAL] Meeting Request
Received: 2018-07-12T10:52:53-04:00

Hi Casey,

A group of us are planning to be in DC on July 24 and 25, 2018 and would like to schedule a meeting with you to discuss Sage-Grouse Stipulation Exceptions and the Migratory Bird Treaty Act. We currently have meetings scheduled on July 24 at 10 am and at 9:30 am on July 25. Other than that, we are available anytime July 24 and the morning of July 25.

At this point, the other people who would attend the meeting with me are:

Dave Applegate, Anadarko
Spencer Kimball, EOG Resources
Brian Woodard, Chesapeake
Maggi Young, Chesapeake

Please let me know if you have any questions.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

To: Esther Wagner[esther@pawyo.org]
From: Casey Hammond
Sent: 2018-07-12T11:08:13-04:00
Importance: Normal
Subject: Re: [EXTERNAL] Meeting Request
Received: 2018-07-12T11:08:30-04:00

Hello Esther,

I had it written down to call you back yesterday and I failed. At this point I don't believe I will be here on the 24th, 25th, or 26th. I'm happy to have a call if that would be helpful.

Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

On Thu, Jul 12, 2018 at 10:52 AM Esther Wagner <esther@pawyo.org> wrote:

Hi Casey,

A group of us are planning to be in DC on July 24 and 25, 2018 and would like to schedule a meeting with you to discuss Sage-Grouse Stipulation Exceptions and the Migratory Bird Treaty Act. We currently have meetings scheduled on July 24 at 10 am and at 9:30 am on July 25. Other than that, we are available anytime July 24 and the morning of July 25.

At this point, the other people who would attend the meeting with me are:

Dave Applegate, Anadarko
Spencer Kimball, EOG Resources
Brian Woodard, Chesapeake
Maggi Young, Chesapeake

Please let me know if you have any questions.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

To: Seidlitz, Joseph (Gene)[gseidlit@blm.gov]
Cc: Jill Moran[jcmoran@blm.gov]; Casey Hammond[casey_hammond@ios.doi.gov]; Cara Lee Macdonald[cara_macdonald@ios.doi.gov]; Amanda Long[adlong@blm.gov]
From: Brian Fakharzadeh
Sent: 2018-07-16T10:03:59-04:00
Importance: Normal
Subject: RE: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request
Received: 2018-07-16T10:04:17-04:00

Good morning,

I've answered the questions below in RED. If you have any other questions, don't hesitate to ask.

Brian Fakharzadeh

Vice President of Development and Operations
Western Energy Alliance
1775 Sherman Street, Ste. 2700
Denver, CO 80203
303-501-1063 Direct
[redacted] (b)(6) Main

bfakharzadeh@westernenergyalliance.org
****

From: Seidlitz, Joseph (Gene) [mailto:gseidlit@blm.gov]
Sent: Friday, July 13, 2018 2:14 PM
To: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>
Cc: Jill Moran <jcmoran@blm.gov>; Casey Hammond <casey_hammond@ios.doi.gov>; Cara Lee Macdonald <cara_macdonald@ios.doi.gov>; Amanda Long <adlong@blm.gov>
Subject: Fwd: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Hi Brian,

I also will be assisting Mr. Hammond with this trip and his speech. I do have a few questions.

(1) How many people do you expect to be in the audience? Roughly 150
(2) Is the annual meeting open to the press? If so, what press - local, regional, national? There will be trade press there (Oil & Gas Investor Magazine, Hart Energy Publications), and one of our speakers is Amy Harder who is with Axios. No other press is invited or allowed.
(3) For the presentation, shall I focus on the onshore portfolio of oil/gas leasing and development? Off-shore? Yes please, just the onshore portion.
(4) Also is there any interests on updates pertaining to NEPA Streamlining, BLM/DOI Reorganization? Greater sage-grouse? Federal Register Notices? Other? These topics are the

MOST important to our group, so please share as much as possible. We have been working extensively on NEPA streamlining and sage-grouse issues, and the reorg of Interior is very important/relevant to our group.

Thanks and have a great weekend
Gene

Gene Seidlitz
ASLM Analyst-Liaison
202-208-4555 (O)
[redacted] (C)

---------- Forwarded message ----------
From: **Casey Hammond** <casey_hammond@ios.doi.gov>
Date: Fri, Jul 13, 2018 at 2:15 PM
Subject: Fwd: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request
To: Joseph Seidlitz <gseidlit@blm.gov>

Begin forwarded message:

From: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>
Date: July 10, 2018 at 1:05:12 PM EDT
To: "Long, Amanda" <adlong@blm.gov>
Cc: Cara Macdonald <cara_macdonald@ios.doi.gov>, Casey Hammond <casey_hammond@ios.doi.gov>
Subject: RE: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Good afternoon,

Thank you so much for helping arrange this! We're excited to have Mr. Hammond speak, and I know our membership will be very interested to hear from him.

The conference is at the Ritz-Carlton, Bachelor Gulch 0130 Daybreak Ridge Road Avon, CO 81620. The contact (reservation) line for the Ritz Carlton is 1-800-576-5582, though as I mentioned on the phone, Doug Benevento from EPA Region 8 wasn't able to get a room as of this morning; I'm not sure why. We do have a room block with significantly reduced rates which closes at the end of the day today, so it may be worth calling today if you can and mention you're with Western Energy Alliance's annual meeting. As I mentioned on the phone this morning, I'm not sure if they don't offer a GSA rate, or if the room block was sold out; I know it was close to being sold out a couple of days ago.

The agenda below is rough, as I'm still working on exact times for the speakers and presentations. I'm thinking I'd like to have Mr. Hammond speak from 1:30 – 2:30 on August 9th, unless that conflicts with travel. We would like roughly 45 minutes of speaking, with 10-15 minutes of Q&A.

I'll work on getting you cost break down of meals, but again Mr. Hammond is welcome to join for any and all of the conference. Thank you again, and if there's anything you need from me immediately, don't hesitate to ask. Email is very typically the best way to reach me, should you need something urgently.

Wednesday, August 8th:

3:00 - 6:00 pm: Registration desk open
5:00 - 6:00 pm: Opening reception
6:00 - 8:00 pm: Family dinner

Thursday, August 9th:

7:30 am: Registration desk opens
7:30 am - 9:00 am: Family breakfast
8:30 am – 12:15 pm: Morning session, including Alliance updates and speakers
12:15 - 1:30 pm: Family lunch
1:30 – 4:00 pm: Afternoon session including award presentations and speakers
4:15 - 5:00 pm: Membership meeting, Board elections, and the passing of the gavel from outgoing Board Chairman Rich Frommer to incoming Chairman Jeff Lang
5:00 pm: Conference attendees dismissed

Brian Fakharzadeh

Vice President of Development and Operations
Western Energy Alliance
1775 Sherman Street, Ste. 2700
Denver, CO 80203
[redacted] (b)(6) Direct
303-623-0987 Main

bfakharzadeh@westernenergyalliance.org

From: Long, Amanda [mailto:adlong@blm.gov]
Sent: Tuesday, July 10, 2018 10:13 AM
To: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>
Cc: Cara Macdonald <cara_macdonald@ios.doi.gov>; Casey Hammond <casey_hammond@ios.doi.gov>
Subject: Re: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Good Afternoon Mr. Fakharzadeh,

It was a pleasure speaking with you. As discussed, Mr. Hammond is available to speak within the most appropriate capacity as you determine. I will provide you a bio and head shot of Mr. Hammond if possible, and look forward to receiving the agenda and logistics from your office.

Thanks

Amanda Long
Executive Assistant
Office of the Assistant Secretary for Land & Minerals Management
Department of Interior - Bureau of Land Management
(202) 208-2197

On Thu, Jun 28, 2018 at 10:24 AM, Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org> wrote:

Good morning,

We would be honored to have Mr. Hammond speak at our annual meeting. The official "keynote" speaker role has been taken by EPA Region 8 Administrator Benevento, but if the title of "keynote" isn't important, we definitely have room. If that's acceptable, please let me know, and I'll be happy to share all other details of the event for logistics and planning purposes.

The annual meeting begins August 8th with an opening reception and dinner (frequently with a speaker during that dinner) which is open to our members and their families. The conference itself is all day August 9th, with speakers and presentations from Western Energy Alliance, and our board nominations and meeting at the end of the day. At the conclusion of business on the 9th, the conference is adjourned.

Please let me know if timing works and if there's a desire to speak; I know our membership would be very interested to hear from Mr. Hammond.

Best,

Brian Fakharzadeh

Vice President of Development and Operations
Western Energy Alliance
1775 Sherman Street, Ste. 2700
Denver, CO 80203
[redacted] Direct
303-623-0987 Main

bfakharzadeh@westernenergyalliance.org

From: Long, Amanda [mailto:adlong@blm.gov]
Sent: Wednesday, June 27, 2018 11:54 AM
To: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>
Cc: Cara Macdonald <cara_macdonald@ios.doi.gov>; Casey Hammond <casey_hammond@ios.doi.gov>; Yolando Mack-Thompson <ymackthompson@blm.gov>; Ursula Massey <umassey@blm.gov>
Subject: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Good Afternoon Mr. Fakharzadeh,

I am in receipt of a request that was sent to Mr. Brian Steed of the Bureau of Land Management in January to speak as a keynote speaker at the upcoming Western Energy Alliance Annual Meeting on August 9th. It is my understanding that Mr. Steed will be unable to attend and that the request has been forwarded to the Office of the Assistant Secretary for Land and Minerals for consideration.

Deputy Assistant Secretary for Land and Minerals, Casey Hammond, has agreed to accept the invitation as keynote speaker if the invitation still stands. Please advise if a keynote speaker is still needed or if the request has been satisfied at this point.

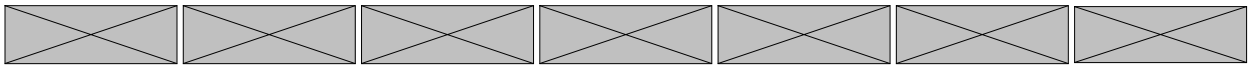
Deputy Secretary Hammond appreciates the opportunity and looks forward to participating at this and future events as needed. Thanks.

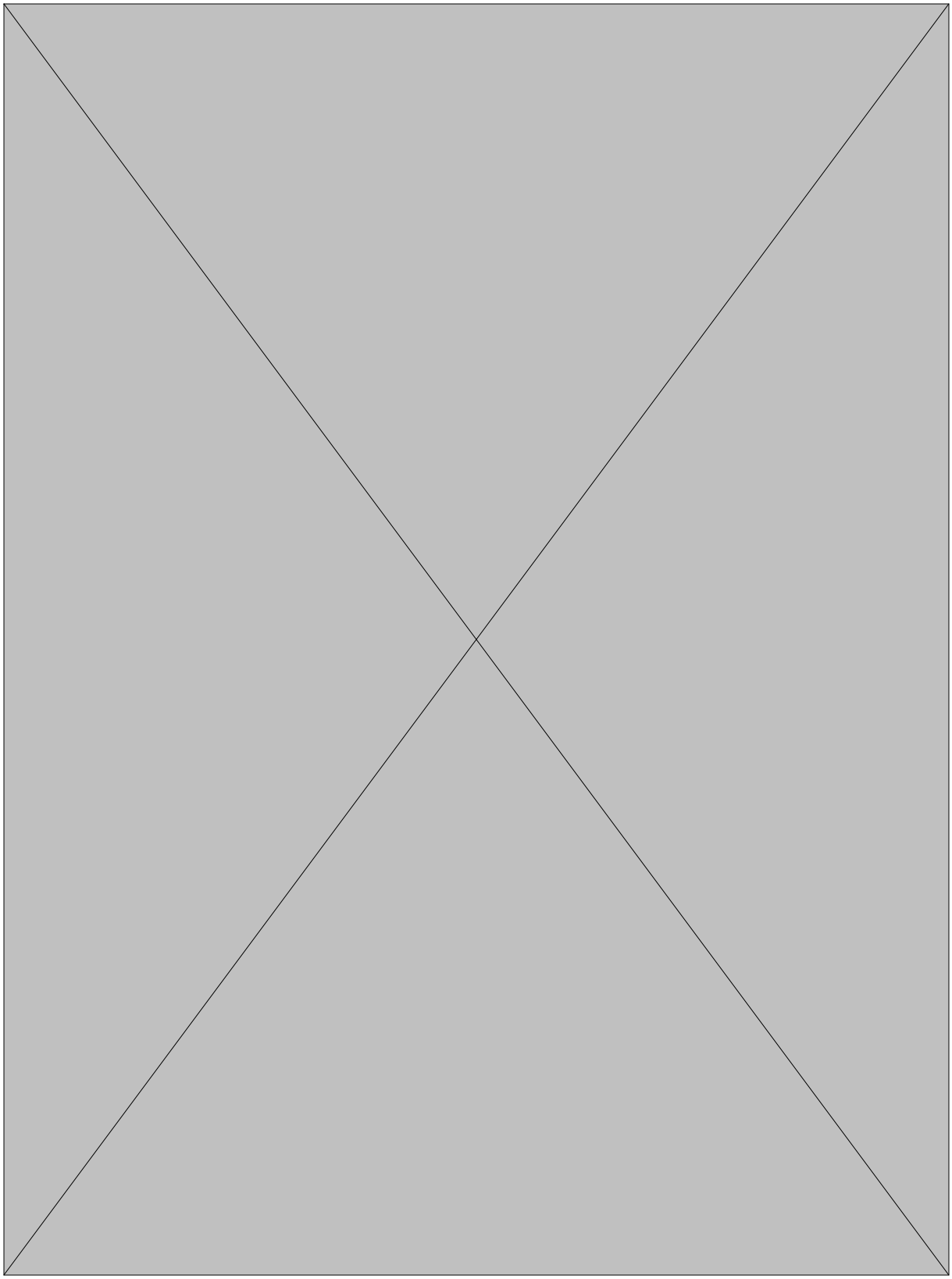
Sincerely,

Amanda Long
Executive Assistant
Office of the Assistant Secretary for Land & Minerals Management
Department of Interior - Bureau of Land Management

(202) 208-2197

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-07-17T18:02:17-04:00
Importance: Normal
Subject: [EXTERNAL] Convince your boss to send you to the 2018 Energy Summit, here's how
Received: 2018-07-17T18:02:25-04:00





From: Williams, Timothy
Sent: 2018-07-18T10:43:34-04:00
Importance: Normal
Subject: DOI - ESA Reform Conference Call
Received: 2018-07-18T10:44:11-04:00

Greetings,
Tomorrow, the U.S. Fish and Wildlife Service and NOAA Fisheries will jointly announce proposed revisions to portions of their regulations that implement key sections of the Endangered Species Act (ESA).

The U.S. Fish and Wildlife Service will host a telephone briefing on Thursday, July 19. Details on how to participate in this briefing are provided below:
When: July 19 at 12:00 p.m. EST
Who: Greg Sheehan, Principal Deputy Director, USFWS
Gary Frazer, Assistant Director – Ecological Services, USFWS
How: Please Click here to RSVP. We will send you the call in number and pass code prior to the call.
Please be prepared to provide your name and affiliation.

All the best, Tim Williams
--
Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Patrick Padilla
Sent: 2018-07-18T10:44:50-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: DOI - ESA Reform Conference Call
Received: 2018-07-18T10:45:00-04:00

Thank you for your email. I will be out of the office until Monday, 7/23/18. I will get back to you as soon as I return.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Tripp Parks
Sent: 2018-07-18T10:44:58-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: DOI - ESA Reform Conference Call
Received: 2018-07-18T10:45:08-04:00

I am out of the office with limited access to email until Monday, July 23rd. For immediate assistance please contact [redacted] (b)(6).

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: David McGowan
Sent: 2018-07-18T10:45:58-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: DOI - ESA Reform Conference Call
Received: 2018-07-18T10:46:07-04:00

I will be out of the office on business travel 7/17-7/20. I will have limited access to email and voicemail during this time but will respond to your message as soon as possible.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Samantha McDonald
Sent: 2018-07-18T10:46:28-04:00
Importance: Normal
Subject: [EXTERNAL] Re: DOI - ESA Reform Conference Call
Received: 2018-07-18T10:46:35-04:00

Tim,
I'd like to participate, thanks!

Sam

Sent from my iPhone

On Jul 18, 2018, at 10:44 AM, Williams, Timothy <timothy_williams@ios.doi.gov> wrote:

> Greetings,
> Tomorrow, the U.S. Fish and Wildlife Service and NOAA Fisheries will jointly announce proposed revisions to portions of their regulations that implement key sections of the Endangered Species Act (ESA).
>
> The U.S. Fish and Wildlife Service will host a telephone briefing on Thursday, July 19. Details on how to participate in this briefing are provided below:
> **When:** July 19 at 12:00 p.m. EST
> **Who:** Greg Sheehan, Principal Deputy Director, USFWS
> Gary Frazer, Assistant Director – Ecological Services, USFWS
> **How:** Please Click here to RSVP. We will send you the call in number and pass code prior to the call.
> Please be prepared to provide your name and affiliation.

All the best, Tim Williams
--

Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

To: Samantha McDonald[SMcDonald@ipaa.org]
From: Timothy Williams
Sent: 2018-07-18T12:34:20-04:00
Importance: Normal
Subject: Re: [EXTERNAL] Re: DOI - ESA Reform Conference Call
Received: 2018-07-18T12:34:27-04:00

Did you RSVP I don't see you on the list?
Tim
On Jul 18, 2018, at 10:46 AM, Samantha McDonald <SMcDonald@ipaa.org> wrote:

Tim,
I'd like to participate, thanks!

Sam

Sent from my iPhone

On Jul 18, 2018, at 10:44 AM, Williams, Timothy <timothy_williams@ios.doi.gov> wrote:

> Greetings,
> Tomorrow, the U.S. Fish and Wildlife Service and NOAA Fisheries will jointly announce proposed revisions to portions of their regulations that implement key sections of the Endangered Species Act (ESA).
>
> The U.S. Fish and Wildlife Service will host a telephone briefing on Thursday, July 19. Details on how to participate in this briefing are provided below:
> **When:** July 19 at 12:00 p.m. EST
> **Who:** Greg Sheehan, Principal Deputy Director, USFWS
> Gary Frazer, Assistant Director – Ecological Services, USFWS
> **How:** Please Click here to RSVP. We will send you the call in number and pass code prior to the call.
> Please be prepared to provide your name and affiliation.

All the best, Tim Williams
--

Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

To: casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]; cally.younger@sol.doi.gov[cally.younger@sol.doi.gov]; Kathy Benedetto (kbenedetto@blm.gov)[kbenedetto@blm.gov]
From: Esther Wagner
Sent: 2018-07-18T20:09:24-04:00
Importance: Normal
Subject: [EXTERNAL] PAW Sage-Grouse DRMPA Comments
Received: 2018-07-18T20:09:37-04:00
PAW SG DRMPA Comments 6-18-18.pdf

Good afternoon,

Attached are PAW's comments on the Wyoming Sage-Grouse Draft RMP Amendment and EIS. Please let me know if you have any questions.

Esther

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

PETROLEUM ASSOCIATION OF WYOMING

951 Werner Court, Suite 100
Casper, Wyoming 82601
(307) 234-5333

fax (307) 266-2189
e-mail: paw@pawyo.org
www.pawyo.org

July 18, 2018

Jennifer Fleuret
Bureau of Land Management
Wyoming State Office
Attn: Greater Sage-Grouse EIS
5353 Yellowstone Rd.
Cheyenne, WY 82009

SENT VIA EMAIL TO: jfleuret@blm.gov

RE: Wyoming Greater Sage-Grouse Draft Resource Management Plan Amendment and Draft Environmental Impact Statement

Dear Ms. Fleuret:

On behalf of the Petroleum Association of Wyoming (PAW) following are comments on the Wyoming Greater Sage-Grouse Draft Resource Management Plan Amendment and Draft Environmental Impact Statement (DRMPA/DEIS). PAW is Wyoming's largest and oldest petroleum industry trade association dedicated to the betterment of the state's oil and gas industry and public welfare. PAW members, ranging from independent operators to integrated companies, account for approximately ninety percent of the natural gas and eighty percent of the crude oil produced in Wyoming. PAW members have vested interests in oil and gas development throughout the state and offer the following comments.

INTRODUCTION

PAW supports Alternative B, the Management Alignment Alternative and BLM's preferred alternative, in that we support revisions to the Wyoming land use plans regarding Greater Sage-Grouse (GRSG) conservation in order for the federal resource management plans (RMPs) to be more consistent with Wyoming Executive Order 2015-4, Greater Sage-Grouse Core Area Protection (EO). We are pleased that BLM recognizes the importance of uniform GRSG habitat management throughout the state and is taking steps to achieve consistency with the policies provided in the EO. Alternative B, the Management Alignment Alternative, remedies most of the main inconsistencies and aligns the current Wyoming RMPs more closely to the EO. In order to sustain BLM's continued consistency with the policies contained in the EO, PAW believes a sentence needs to be added to the GRSG RMP amendment stating that, "the RMP Amendment, which was developed with public notice and comment, cannot be overridden by federal policies which do not require such public participation."

RECOMMENDATION 1: Ensure continued consistency with the EO by adding a sentence in the GRSG RMP amendment stating that, "The RMP Amendment, which was developed with public notice and comment, cannot be overridden by federal policies which do not require such public participation."

PAW is significantly concerned that no mention is made with regard to revising appendices to the current RMPs. If changes made to the main body of the RMPs are not made to corresponding appendices, inconsistencies will exist which will not only cause confusion but will also leave BLM legally vulnerable. At the very least, PAW recommends a sentence be added to the GRSG RMP amendment stating that, "in the case of inconsistency between text in the RMP amendment and the original RMP appendices, the text in the RMP Amendment shall take precedence." However, we believe the best course of action is to ensure that changes made to the main body of the Wyoming GRSG RMPs are also applied to corresponding appendices.

RECOMMENDATION 2: Ensure that changes made to the main body of the Wyoming GRSG RMP Amendment are also applied to corresponding appendices or, at the very least, add a sentence to the GRSG RMP amendment stating that, "in the case of inconsistency between text in the RMP amendment and the original RMP appendices, the text in the RMP Amendment shall take precedence."

As BLM is aware, Wyoming Executive Order 2011-5 (EO 2011-5) was developed through an extensive collaborative process in which all affected parties were represented. It garnered the support of the US Fish and Wildlife Service (USFWS), which stated in a letter to Wyoming Governor Matt Mead (June 24, 2011), that "*if fully implemented, we believe the EO can provide the conservation program necessary to achieve your goal of precluding listing of the Sage-grouse in Wyoming*." Moreover, the Service also noted that "*the core population area strategy (EO 2011-5) is a sound framework for a policy by which to conserve greater sage grouse*..."

PAW understands the importance of avoiding a listing of the GRSG and we believe the EO provides the habitat protection needed to accomplish this through its density and disturbance limitations that protect twenty-three percent of Wyoming as Core, or Priority Habitat Management Areas (PHMAs), and support more than eighty percent of all GRSG in the State. As such, PAW believes revisions need to be made to the RMPs to ensure BLM's management direction follows the parameters established in the EO, thereby providing for consistent management and regulatory certainty throughout the State.

An indispensable premise of the EO is that it was specifically designed to allow flexibility for land users in noncore or General Habitat Management Areas (GHMAs). Inherent to the above-mentioned USFWS endorsement is analysis that impacts to leks and GRSG populations outside core are acceptable as long as GRSG habitat and populations inside core are maintained. The Strategy also appropriately provides for adjustments to stipulations based on local conditions and the recognition of valid existing rights. In direct conflict to this basic tenet of the EO, the current RMPs for Wyoming generally place the same value on all habitat, regardless of whether it occurs inside or outside of core or whether GRSG are actually present. Failing to recognize that core area habitat has a higher value than noncore habitat defeats the incentive to develop outside of core.

TIMING STIPULATION RELIEF

An incentive of significant importance to PAW members provided by Wyoming's Compensatory Mitigation Framework (Appendix H of the EO) is the ability to secure year-round drilling through timing stipulation relief. This is accomplished when seasonal exceptions to timing limitation stipulations are offset by conservation credits that meet specific standards of durability, suitability and additionality. These credits consist of 50+ years of habitat protection through easement and are given in exchange for temporary lek impact. It is important to note that the timing stipulation relief is not systematically granted and the State of Wyoming has a process and parameters in place which includes evaluation by the Wyoming Game and Fish Department (WGFD) to ensure that avoidance and minimization have been used and the proposed project is consistent with the Compensatory Mitigation Framework. It is important to note that not only does this reduce the disturbance associated with moving rigs in and out of areas in order to comply with seasonal restrictions, it also provides areas of long-term protected habitat in the State. This application of conservation credits (i.e. offsets) in exchange for timing stipulation relief is a type of compensatory mitigation that is consistent with the Wyoming EO.

Wyoming BLM has indicated that although timing stipulation relief is provided for in the main body of the DRMPA/DEIS, appendices to the existing Wyoming RMPs regarding fluid mineral exceptions, modifications and waivers need to be modified to provide clarity on this issue. As the appendices currently stand, exceptions from timing stipulations are allowed as follows:

> "The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success. Actions designed to enhance the long-term utility or availability of suitable Greater Sage-Grouse habitat may be exempted from this timing limitation. The BLM can and does grant exceptions to seasonal restrictions if the BLM, in coordination with the WGFD, determines that granting an exception would not adversely impact the population being protected."[1]

This language is often legally misinterpreted by BLM and as such, the following clarifications are necessary:

---

[1] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, Appendix B - Fluid Mineral Stipulations, pp. 124-127.
Buffalo Approved RMP, September 2015, Appendix B – Fluid Mineral Lease Notices; Lease Stipulations; and the Process for Exceptions, Modifications, and Waivers, pp. 257, 259, 261, 263.
Cody Approved RMP, September 2015, Appendix B – Oil and Gas Lease Notices and Lease Stipulations, including Exception, Modification, and Waiver Criteria, pp. 229-232.
Lander ROD and Approved RMP, June 2014, Appendix I – Oil and Gas Stipulations, pp. 278-281.
Worland Approved RMP, September 2015, Appendix B – Oil and Gas Lease Notices and Lease Stipulations, including Exception, Modification, and Waiver Criteria, pp. 230-232.

1. Each sentence needs to be clearly set apart as a separate standard for granting an exception. In the paragraph above the language is clearly not in the conjunctive (i.e. connected by "and") which would require the standards of all three sentences to be met prior to granting relief. As such, it needs to be clarified that each sentence is actually a separate basis for an exception as plainly demonstrated by the construction of each sentence within the paragraph.

2. The paragraph also needs to clarify that the population being protected is on a statewide level. The purpose of the DRMPA/DEIS is to gain consistency with the EO which is designed to protect the State's overall GRSG population at a landscape level, not individual birds, leks or localized populations. These changes are consistent with the DRMPA/DEIS which clearly states in its summary of environmental consequences on page ES-7 at the top the table in the Management Alignment Alternative column, "Although adverse effects on local populations may occur as a result of the management actions, no impacts on Greater Sage-Grouse conservation in Wyoming have been identified, and consistent management will be achieved across the state."

As such, the above language in the current appendices must be modified to read:

> "The authorized officer may grant an exception if an environmental record of review determines:
> 1. T~~t~~hat the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success;~~,~~ or
> 2. That the a~~A~~action~~s~~ is designed to enhance the long-term utility or availability of suitable Greater Sage-Grouse habitat and may be exempted from this timing limitation;~~,~~ or
> 3. ~~The BLM can and does grant exceptions to seasonal restrictions if the BLM,~~ I~~i~~n coordination with the WGFD, ~~determines~~ that granting an exception would not adversely impact the statewide population being protected in accordance with the State of Wyoming's EO."

None of the above revisions require additional NEPA analysis or fundamentally change the exception process as defined in the RMPs. These changes simply make clear the proper legal reading of existing exception provisions. Without making these changes to the appendices to the Wyoming RMPs, adopting the state's Compensatory Mitigation Framework will not be fully realized and ongoing ambiguity will exist in BLM application of the exception process. This will result in the loss of significant development opportunities in Wyoming as timing stipulation exceptions will be difficult, if not impossible, to secure.

RECOMMENDATION 3: Revise exception language to provide clarification in existing Wyoming RMPs regarding fluid mineral exceptions, modifications and waivers[2]:

> **"The authorized officer may grant an exception if an environmental record of review determines:**
> **1. T~~t~~hat the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success~~;.~~ or**
> **2. That the a~~A~~ction~~s~~ is designed to enhance the long-term utility or availability of suitable Greater Sage-Grouse habitat and may be exempted from this timing limitation~~;.~~ or**
> **3. ~~The BLM can and does grant exceptions to seasonal restrictions if the BLM, I~~in coordination with the WGFD, ~~determines~~ that granting an exception would not adversely impact the statewide population being protected in accordance with the State of Wyoming's EO."**

NET CONSERVATION GAIN

PAW strongly supports the removal of the "net conservation gain" standard from all management actions across all RMPs as outlined in the DRMPA/DEIS. We have long held that the net conservation gain mitigation standard established in the RMPs is unreasonable and difficult if not impossible to measure, and needs to be eliminated. We agree with BLM's assessment that, "[t]he impacts associated with the removal of the compensatory mitigation standard of "net conservation gain" would have minimal impacts across the range of Greater Sage-Grouse in Wyoming"[3] and that the State's "compensatory mitigation framework provides a replacement of habitat, including indirect effects, with assurances and durability of the life of the impact".[4] As such, we support the removal of the net conservation gain standard from all management actions across all RMPs and BLM's intent to "[f]ollow the State of Wyoming's Greater Sage-Grouse Compensatory Mitigation Framework" as listed in the DRMPA/DEIS as a key aspect of the Management Alignment Alternative.[5]

COMPENSATORY MITIGATION

As stated in our comments above, PAW strongly supports BLM's adoption of the State of Wyoming's Greater Sage-Grouse Compensatory Mitigation Framework wherein compensatory mitigation is only required in PHMA when exceeding specific PHMA thresholds (such as maximum density and disturbance thresholds) and not to affect a net conservation gain. The Framework is the system devised by the State to calculate residual impacts after avoidance and minimization measures have been used to the fullest extent. In this way, the Compensatory Mitigation Framework meets FLPMA's requirement to avoid unnecessary and undue degradation and the portion of the impact that remains after all avoidance and minimization measures have been used is addressed through compensatory mitigation.

---

[2] Id.
[3] Wyoming Greater Sage-Grouse Draft Resource Management Plan Amendment and Environmental Impact Statement, May 2018, p. 4-19.
[4] Id.
[5] Id. at 2-4.

Adoption of the Framework will not only provide added regulatory certainty to industry, it will also provide better protection for GRSG. This is clearly outlined by BLM in the DRMPA/DEIS wherein it states, "alignment with the State of Wyoming's Greater Sage-Grouse Compensatory Mitigation Framework would result in more consistent application of compensatory mitigation and would likely result in improved conservation of Greater Sage-Grouse in Wyoming."[6]

We further support BLM's proposed process regarding compensatory mitigation wherein "[t]he BLM would follow the NEPA process in determining appropriate avoidance, minimization, and other measures in accordance with the CEQ mitigation Hierarchy as appropriate at the site-specific project level and would defer to the State of Wyoming regarding the applicability, and, if deemed applicable, the determination of compensatory mitigation."[7] This is consistent with the State having the lead role in managing GRSG.

With regard to BLM's request for alternative approaches to requiring compensatory mitigation, PAW is open to on-the-ground projects as a means to satisfy compensatory mitigation requirements if BLM can determine a reasonable and consistent exchange rate that applies statewide and allows operators the choice between projects and mitigation credits as the means of compensatory mitigation. For example, determine a number of acres of juniper removal that could be exchanged for timing stipulation relief for one rig for one season in non-core. Furthermore, PAW supports offsets in the form of conservation credits as noted earlier in our comments.

> **RECOMMENDATION 4: Adopt the State of Wyoming's Compensatory Mitigation Framework as it is the system devised by the State to provide habitat replacement after avoidance and minimization measures have been used to the fullest extent, and also satisfies BLM's obligations under FLPMA to avoid unnecessary and undue degradation.**

FLUID MINERAL SAGE-GROUSE STIPULATION EXCEPTION LANGUAGE

In accordance with the discussion above regarding Timing Stipulation Relief and the lack of consistent application of GRSG stipulation exceptions throughout BLM field offices, we strongly recommend the following language be revised in the appendices[8] to the existing Wyoming RMPs regarding fluid mineral exceptions to GRSG stipulations as follows:

---

[6] Id. at 4-20.

[7] Id. at 2-13 (Table 2-1).

[8] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, Appendix B - Fluid Mineral Stipulations, (Management Actions MD SSS 2, MD SSS 3, MD SSS 5, MD SSS 6, MD SSS 7, MD SSS 8, MD SSS 9 and MD SSS 10), pp. 121-127.
Buffalo Approved RMP, September 2015, Appendix B – Fluid Mineral Lease Notices; Lease Stipulations; and the Process for Exceptions, Modifications, and Waivers (Management Action SS WL-4024), pp. 255-263.
Cody Approved RMP, September 2015, Appendix B – Oil and Gas Lease Notices and Lease Stipulations, including Exception, Modification, and Waiver Criteria (Record Numbers 4107, 4108, 4109 and 4110), pp. 228-234.

> "The authorized officer may grant an exception if an environmental record of review determines:
> 1. T~~t~~hat the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success;~~.~~ or
> 2. That the a~~A~~ction~~s~~ is designed to enhance the long-term utility or availability of suitable Greater Sage-Grouse habitat and may be exempted from this timing limitation;~~.~~ or
> 3. ~~The BLM can and does grant exceptions to seasonal restrictions if the BLM,~~ I~~i~~n coordination with the WGFD, ~~determines~~ that granting an exception would not adversely impact the statewide population being protected in accordance with the State of Wyoming's EO."

Without making these changes to the appendices to the Wyoming RMPs, adopting the state's Compensatory Mitigation Framework will not be fully realized and ongoing ambiguity will exist in BLM application of the exception process. None of the above revisions require additional NEPA analysis or fundamentally change the exception process as defined in the RMPs. These changes simply make clear the proper legal reading of existing exception provisions.

> **RECOMMENDATION 5: Revise exception language to provide clarification in existing Wyoming RMPs regarding fluid mineral exceptions, modifications and waivers[9]:**
>
> > **"The authorized officer may grant an exception if an environmental record of review determines:**
> > **1. T~~t~~hat the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success;~~.~~ or**
> > **2. That the a~~A~~ction~~s~~ is designed to enhance the long-term utility or availability of suitable Greater Sage-Grouse habitat and may be exempted from this timing limitation;~~.~~ or**
> > **3. ~~The BLM can and does grant exceptions to seasonal restrictions if the BLM,~~ I~~i~~n coordination with the WGFD, ~~determines~~ that granting an exception would not adversely impact the statewide population being protected in accordance with the State of Wyoming's EO."**

PRIORITY HABITAT MANAGEMENT AREA BOUNDARIES

PAW strongly supports the provision in the Management Alignment Alternative providing for updates to be made to Priority Habitat Management Area boundaries in conjunction with revisions made by the

---

Lander ROD and Approved RMP, June 2014, Appendix I – Oil and Gas Stipulations (Decisions 4104, 4105, 4108 and 4109), pp. 276-282.
Worland Approved RMP, September 2015, Appendix B – Oil and Gas Lease Notices and Lease Stipulations, including Exception, Modification, and Waiver Criteria (Record Numbers 4106, 4107, 4108 and 4109), pp. 229-235.
[9] Id.

State to its core area boundaries.[10] As stated in our scoping comments dated November 30, 2017, industry experienced significant delays and confusion on both the project planning and APD level for approximately two (2) years as a result of different maps being used by the State and BLM.

While PAW is pleased to see BLM has provided for updates to be made through maintenance action, clarification needs to be added outlining in what instances that process would not suffice. The DRMPA/DEIS states, "*If major changes to the core area boundaries are proposed, the BLM would be required to consider the changes under its requirements of NEPA.*"[11] As such, clarification needs to be added describing what would qualify as a major change to the core area boundaries requiring increased analysis under NEPA.

> **RECOMMENDATION 6: Clarify what would qualify as a major change to the core area boundaries that would require increased analysis under NEPA in order for BLM to update its PHMA boundaries.**

REQUIRED DESIGN FEATURES

PAW is supportive of the development of guidance and clarification with regard to the use of required design features (RDFs) with an increased emphasis that they be applied on a site-specific basis as appropriate as outlined in the DRMPA/DEIS. However, we maintain that while some of the RDFs may prove effective, only those that are reasonable should be incorporated and only as recommended measures, not required actions. We further recommend that any RDFs or other restrictions that go beyond those contained in the EO are unjustified and should be eliminated.

PAW is strongly concerned that it is not clarified that RDFs will only be applied in PHMA. The DRMPA/DEIS states BLM's desire to develop ways to incentivize development in GHMAs and one such solution is to only apply RDFs in PHMA as appropriate.

> **RECOMMENDATION 7: Incorporate reasonable RDFs into projects as recommended measures, not required actions; eliminate RDFs or other restrictions that go beyond those contained in the EO; and apply appropriate RDFs only in PHMAs.**

NOISE

PAW supports the noise provisions included in the Management Alignment Alternative specifying that noise measurement and monitoring conditions of approval (COAs) will only apply in PHMA and will only be considered on a site-specific level as appropriate. As stated in our scoping comments dated November 30, 2017, the noise restrictions imposed by the existing Wyoming RMPs are unreasonable and impractical, particularly as sufficient evidence does not exist showing at what level anthropogenic noise negatively affects GRSG behavior. The proposed changes will make the noise requirements consistent with those contained in the EO.

---

[10] Wyoming Greater Sage-Grouse Draft Resource Management Plan Amendment and Environmental Impact Statement, May 2018, p. 2-5.
[11] Id. at 4-15.

ADAPTIVE MANAGEMENT

PAW is supportive of the provision under the Management Alignment Alternative for the RMPs to be revised to include a process to reverse adaptive management actions once baseline populations of GRSG return. PAW recommends BLM's adaptive management process be further revised to be fully consistent with the EO.

For example, the EO Adaptive Management Plan specifically provides:

> "[i]if declines in affected leks (using a three-year running average during any five year period relative to trends on reference leks) are determined to be caused by the project, the operator will propose adaptive management responses to increase the number of birds. If the operator cannot demonstrate a restoration of bird numbers to baseline levels (established by pre-disturbance surveys, reference surveys and taking into account regional and statewide trends) within three years, operations will cease until such numbers are achieved."[12]

The RMPs currently provide a much more difficult to implement adaptive management plan which includes soft triggers which are "any deviation from normal trends in habitat or population in any given year"[13] and hard triggers which are indicators "that the species is not responding to conservation actions, or that a larger-scale impact or set of impacts is having a negative effect."[14] The response to both triggers is to make changes to management, either to apply more restrictive measures or defer continued operations. We question the validity and ability of BLM to affect the prescribed responses since they will result in changes to management prescriptions and likely require subsequent NEPA analysis.

> **RECOMMENDATION 8: Adopt the adaptive management plan that is included in the EO as it is sufficient and includes a provision that operations will be allowed to resume once baseline populations return.**

LEASING AND DEVELOPMENT PRIORITIZATION

PAW strongly opposes any provisions regarding prioritization of leasing or development under the Management Alignment Alternative in the DRMPA/DEIS as no justification has been provided. With respect to leasing, in the Summary of Environmental Consequences section of the DRMPA/DEIS, BLM acknowledges, "A fluid mineral lease does not authorize surface-disturbing activities; therefore, impacts related to changes in the prioritization of leasing outside of PHMA would be likely to beneficially affect Greater Sage-Grouse Conservation in Wyoming."[15] This statement does not make sense and certainly does not provide justification for prioritization of leasing.

---

[12] Wyoming Executive Order 2015-4, Attachment B, p. 10.

[13] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, p. 37.

[14] Id.

[15] Wyoming Greater Sage-Grouse Draft Resource Management Plan Amendment and Environmental Impact Statement, May 2018, p. ES-7.

BLM also fails to outline in the DRMPA/DEIS how it can effectively prioritize leasing and development, and we question its ability to do so. The directive in the current Wyoming RMPs that BLM prioritize leasing and development outside of GRSG habitat has already prompted litigation over BLM's administration of this directive.[16] Also, in light of the extensive rules in place for how and when development will proceed in GRSG habitat, project-specific NEPA and project approval will be more than sufficient to provide habitat protection.

Finally, the provisions directing prioritization of leasing and development are redundant because the Wyoming Core Area Strategy inherently prioritizes leasing and development by imposing more stringent measures in higher quality habitat. USFWS recognized that the Core Area Strategy creates incentives to site development outside of GRSG habitat. The USFWS described the Core Area Strategy as "encourag[ing] projects to be re-located outside of Core Areas by reducing restrictions in non-Core Areas for development activities," providing "[i]ncentives to consolidate disturbance . . . by minimizing habitat loss and degradation within large landscapes," and "encourage[ing] development to move outside of Core Areas, while still providing some protections to birds in non-Core Areas."[17] As such, these provisions are wholly unnecessary and need to be removed.

> **RECOMMENDATION 9: Remove any and all provisions from the Management Alignment Alternative regarding prioritization of leasing.**

PRE-2008 PERMITTED ACTIVITIES

PAW is significantly concerned that the Management Alignment Alternative does not include a provision regarding pre-2008 permitted activities. The EO places importance on respecting valid existing rights and specifically exempts pre-2008 permitted activities from having to comply with core area stipulations. The EO states, "[a]ctivities existing or permitted in Core Population Areas prior to August 1, 2008, will not be required to be managed under Core Population Area stipulations."[18] It further goes on to provide that, "[f]ederal and state permitted activities, within a defined project boundary (such as a recognized federal oil and gas unit, drilling and spacing unit, mine plan, subdivision plat, utility ROW, grazing allotment, etc.), shall be allowed to continue within the existing boundary even if the use exceeds recommended stipulations"[19]. No such provisions are provided in the Wyoming RMPs.

While the DRMPA/DEIS states BLM will respect valid existing rights, it further provides that BLM will "work with lessees, operators or other project proponents to avoid, reduce and mitigate adverse impacts to the extent compatible with lessees' rights to drill and produce fluid mineral resources."[20] It needs to be taken into consideration that when operators planned or initiated projects in or prior to 2008, they did not anticipate inclusion of GRSG protections that have been put in place over the past ten years. Subjecting pre-2008 permitted activities to these stipulations is unreasonable and has the

---

[16] *Western Watershed Project v. Zinke*, No. 01:18-cv-187 (D. Idaho April 30, 2018).
[17] 80 Fed. Reg. 59,858, 59,882, 59,883 (Oct. 2, 2015).
[18] Wyoming Executive Order 2015-4 Greater Sage-Grouse Core Area Protection, July 29, 2015, p. 4.
[19] Id.
[20] Wyoming Greater Sage-Grouse Draft Resource Management Plan Amendment and Environmental Impact Statement, May 2018, p. 2-15.

potential to render previously authorized projects uneconomic and/or impossible to complete. As such, PAW recommends the RMPs be amended to specify pre-2008 permitted activities, such as oil and gas units and drilling and spacing units, are not subject to GRSG stipulations.

The EO also provides that activities permitted outside of core prior to its effective revision date (July 29, 2015) that are now included in core as a result of changes made to the Core Area Map (Version 4) are not subject to core area stipulations. We strongly recommend the RMPs be amended to reflect this provision as well.

> **RECOMMENDATION 10: Include provisions in the RMP amendment specifying that pre-2008 permitted activities, such as oil and gas units and drilling and spacing units, are not subject to GRSG stipulations and that activities permitted outside of core prior to its effective revision date (July 29, 2015) that are now included in core as a result of changes made to the Core Area Map (Version 4) are not subject to core area stipulations.**

WINTER CONCENTRATION AREAS

PAW is concerned that the Management Alignment Alternative does not address revisions be made to restrictions in Winter Concentration Areas (WCAs). As we stated in our scoping comments dated November 30, 2017, the determination of restrictions to be placed on Winter Concentration Areas (WCAs) needs to be deferred pending further research. There is a lack of understanding of what, if any, level of activity poses disturbance to GRSG in WCAs. The State of Wyoming, through the Sage-Grouse Implementation Team (SGIT), of which BLM is a member, is in the process of conducting a scientific study to determine the appropriate thresholds to place on WCAs. Due to the fact that surface activities are seasonally prohibited in WCAs from December 1 to March 14, there needs to be clear knowledge, multiple lines of evidence and a body of peer-reviewed literature supporting proof that No Surface Occupancy (NSO) disturbance thresholds are warranted during those timeframes.

The Wyoming RMPs are similar to the EO in that they prohibit "surface disturbing and/or disruptive activities in sage-grouse winter concentrations areas from December 1 – March 14."[21] However, while the EO permits production and maintenance activities to take place during seasonal stipulations, the RMPs do not provide this necessary exception. As a matter of environmental health and safety, the RMPs need to be changed to allow for production and maintenance activities to take place as necessary while seasonal use restrictions are taking place.

The Buffalo RMP also includes a provision to its WCA seasonal restriction that "dates may be expanded by up to 14 days prior to or subsequent to the above dates."[22] This same provision is provided in both the RMPs and the EO with regard to nesting, breeding and brood-rearing seasonal restrictions; however, the Buffalo RMP is the only plan that applies the same exception to WCAs. PAW takes issue with this exception to both seasonal stipulation timeframes in that it removes a level of regulatory certainty when

[21] Casper, Kemmerer, Newcastle, Pinedale, Rawlins, and Rock Springs Field Offices Approved Resource Management Plan Amendment for Greater Sage-Grouse, September 2015, p. 36.
[22] Buffalo Field Office Approved Management Plan, September 2015, p. 43.

planning for development to take place. Operators need to be provided with ample notice that they are going to be affected by this change in order to maintain regulatory certainty.

WCAs are described as areas "where large numbers of Core Population Area Greater sage-grouse congregate and persistently occupy between December 1 and March 14."[23] Identification of WCAs differs from the RMPs to the EO. The EO states:

> "Specifically, winter concentration areas, defined as places where large numbers of Core Population Area Greater sage-grouse congregate and persistently occupy between December 1 and March 14, should be identified and protected. Identification of winter concentration areas should be based on habitat features and repeated observations of winter use by biologically significant numbers of Greater sage-grouse (e.g., groups of 50 Greater sage-grouse)…"[24]

While the RMPs provide a much more detailed description of what habitat features should be present in order to qualify as a WCA, they also provide that WCAs may consist of as few as 25 GRSG. PAW maintains in order to be consistent with the EO, the RMPs need to be revised to clarify that identification of WCAs is based on groups of 50 or more PHMA GRSG. It is imperative that BLM only designate WCAs in the RMPs after the areas have been designated as such by the SGIT and incorporated into the EO.

There is still much to be learned with regard to appropriate disturbance thresholds and seasonal restrictions in WCAs. The EO states, "the State of Wyoming will develop appropriate local, science-based standards to manage disturbance in identified and mapped winter concentration areas."[25] As such, PAW strongly recommends any stipulations with regard to WCAs be deferred until new and emerging science is completed.

RECOMMENDATION 11:

- **Defer stipulations with regard to WCAs until new and emerging science is completed;**
- **Allow for production and maintenance activities to take place as necessary while seasonal use restrictions are taking place;**
- **Remove the provision in the Buffalo RMP allowing for the expansion of seasonal restrictions on WCAs by up to 14 days prior to or subsequent to the seasonal stipulation timeframe; and**
- **Clarify that identification of WCAs is based on groups of 50 or more PHMA GRSG and that BLM will only designate WCAs in the RMPs after the areas have been designated as such by the SGIT and incorporated into the EO.**

---

[23] Wyoming Executive Order 2015-4, Attachment A, p. 5.
[24] Id.
[25] Wyoming Executive Order 2015-4, p. 5.

Again, thank you for the opportunity to provide comments amendments to the land use plans regarding GRSG conservation. Please feel free to contact me with any questions.

Sincerely,

Esther Wagner

Esther Wagner
Vice President – Public Lands

cc: Mary Jo Rugwell, BLM Wyoming State Director
Larry Claypool, BLM Wyoming Associate State Director
Mike McGrady, Policy Advisor, Wyoming Governor Matthew Mead's Office
Bob Budd, Chairman, Sage-Grouse Implementation Team

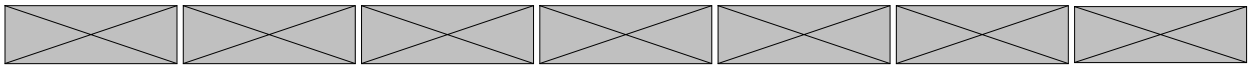
From: Williams, Timothy
Sent: 2018-07-19T13:08:33-04:00
Importance: Normal
Subject: ESA Reform
Received: 2018-07-19T13:09:18-04:00

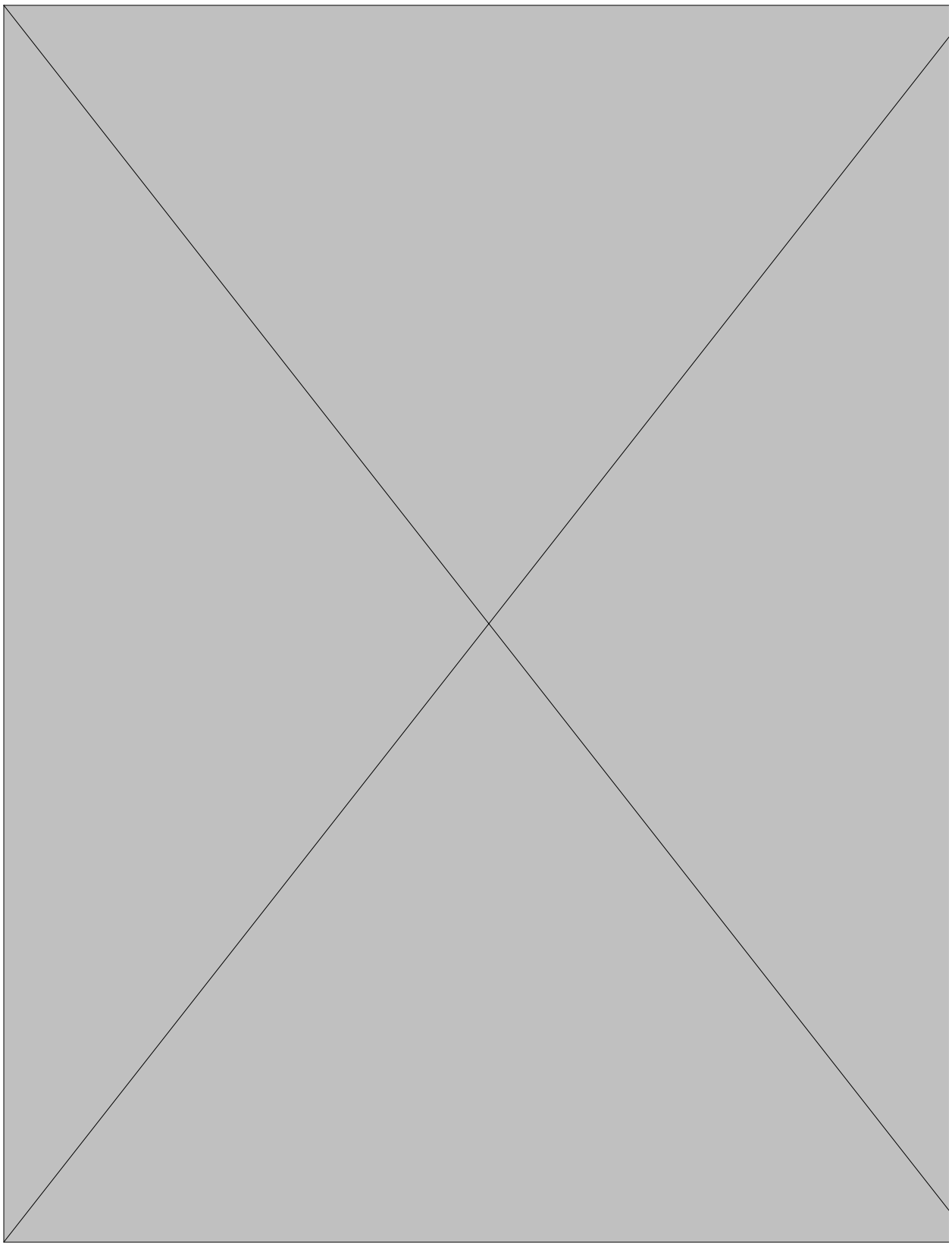
FYI: Link to F&W Service
https://www.fws.gov/endangered/improving_ESA/regulation-revisions.html

--

Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-07-20T20:02:14-04:00
Importance: Normal
Subject: [EXTERNAL] Early Registration Discount Extended Just One More Week
Received: 2018-07-20T20:02:26-04:00





To: Long, Amanda[adlong@blm.gov]
Cc: Cara Macdonald[cara_macdonald@ios.doi.gov]; Casey Hammond[casey_hammond@ios.doi.gov]
From: Brian Fakharzadeh
Sent: 2018-07-23T17:38:09-04:00
Importance: Normal
Subject: RE: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request
Received: 2018-07-23T17:38:24-04:00

Hi Amanda,

I was wondering if you could send a headshot and bio for Mr. Hammond? We need to go to print by the end of the week, and the designer needs time to add this to the program. Would it be possible for us to have that by Wednesday morning?

Thanks,

Brian Fakharzadeh

Vice President of Development and Operations
Western Energy Alliance
1775 Sherman Street, Ste. 2700
Denver, CO 80203
[redacted] (b)(6) Direct
303-623-0987 Main

bfakharzadeh@westernenergyalliance.org
****

From: Long, Amanda [mailto:adlong@blm.gov]
Sent: Tuesday, July 10, 2018 10:13 AM
To: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>
Cc: Cara Macdonald <cara_macdonald@ios.doi.gov>; Casey Hammond <casey_hammond@ios.doi.gov>
Subject: Re: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Good Afternoon Mr. Fakharzadeh,

It was a pleasure speaking with you. As discussed, Mr. Hammond is available to speak within the most appropriate capacity as you determine. I will provide you a bio and head shot of Mr. Hammond if possible, and look forward to receiving the agenda and logistics from your office.

Thanks

Amanda Long
Executive Assistant
Office of the Assistant Secretary for Land & Minerals Management
Department of Interior - Bureau of Land Management
(202) 208-2197

On Thu, Jun 28, 2018 at 10:24 AM, Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org> wrote:

Good morning,

We would be honored to have Mr. Hammond speak at our annual meeting. The official "keynote" speaker role has been taken by EPA Region 8 Administrator Benevento, but if the title of "keynote" isn't important, we definitely have room. If that's acceptable, please let me know, and I'll be happy to share all other details of the event for logistics and planning purposes.

The annual meeting begins August 8th with an opening reception and dinner (frequently with a speaker during that dinner) which is open to our members and their families. The conference itself is all day August 9th, with speakers and presentations from Western Energy Alliance, and our board nominations and meeting at the end of the day. At the conclusion of business on the 9th, the conference is adjourned.

Please let me know if timing works and if there's a desire to speak; I know our membership would be very interested to hear from Mr. Hammond.

Best,

Brian Fakharzadeh

Vice President of Development and Operations
Western Energy Alliance
1775 Sherman Street, Ste. 2700
Denver, CO 80203
[redacted] (b)(6) Direct
303-623-0987 Main

bfakharzadeh@westernenergyalliance.org

From: Long, Amanda [mailto:adlong@blm.gov]
Sent: Wednesday, June 27, 2018 11:54 AM
To: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>

Cc: Cara Macdonald <cara_macdonald@ios.doi.gov>; Casey Hammond <casey_hammond@ios.doi.gov>; Yolando Mack-Thompson <ymackthompson@blm.gov>; Ursula Massey <umassey@blm.gov>
Subject: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Good Afternoon Mr. Fakharzadeh,

I am in receipt of a request that was sent to Mr. Brian Steed of the Bureau of Land Management in January to speak as a keynote speaker at the upcoming Western Energy Alliance Annual Meeting on August 9th. It is my understanding that Mr. Steed will be unable to attend and that the request has been forwarded to the Office of the Assistant Secretary for Land and Minerals for consideration.

Deputy Assistant Secretary for Land and Minerals, Casey Hammond, has agreed to accept the invitation as keynote speaker if the invitation still stands. Please advise if a keynote speaker is still needed or if the request has been satisfied at this point.

Deputy Secretary Hammond appreciates the opportunity and looks forward to participating at this and future events as needed. Thanks.

Sincerely,

Amanda Long
Executive Assistant
Office of the Assistant Secretary for Land & Minerals Management
Department of Interior - Bureau of Land Management
(202) 208-2197

To: Long, Amanda[adlong@blm.gov]
Cc: Cara Macdonald[cara_macdonald@ios.doi.gov]; Casey Hammond[casey_hammond@ios.doi.gov]
From: Brian Fakharzadeh
Sent: 2018-07-23T17:48:07-04:00
Importance: Normal
Subject: RE: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request
Received: 2018-07-23T17:48:34-04:00

You're the best!
Thank you

Brian Fakharzadeh

Vice President of Development and Operations
Western Energy Alliance
1775 Sherman Street, Ste. 2700
Denver, CO 80203
[redacted] (b)(6) Direct
303-623-0987 Main

bfakharzadeh@westernenergyalliance.org
****

From: Long, Amanda [mailto:adlong@blm.gov]
Sent: Monday, July 23, 2018 3:47 PM
To: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>
Cc: Cara Macdonald <cara_macdonald@ios.doi.gov>; Casey Hammond <casey_hammond@ios.doi.gov>
Subject: Re: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Hello Brian,

Bio and picture attached.

Amanda Long
Executive Assistant
Office of the Assistant Secretary for Land & Minerals Management
Department of Interior - Bureau of Land Management
(202) 208-2197

On Mon, Jul 23, 2018 at 5:38 PM, Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org> wrote:
Hi Amanda,

I was wondering if you could send a headshot and bio for Mr. Hammond? We need to go to print by the end of the week, and the designer needs time to add this to the program. Would it be possible for us to have that by Wednesday morning?

Thanks,

Brian Fakharzadeh

Vice President of Development and Operations
Western Energy Alliance
1775 Sherman Street, Ste. 2700
Denver, CO 80203
[redacted] Direct
303-623-0987 Main

bfakharzadeh@westernenergyalliance.org

From: Long, Amanda [mailto:adlong@blm.gov]
Sent: Tuesday, July 10, 2018 10:13 AM
To: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>
Cc: Cara Macdonald <cara_macdonald@ios.doi.gov>; Casey Hammond <casey_hammond@ios.doi.gov>
Subject: Re: [EXTERNAL] RE: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Good Afternoon Mr. Fakharzadeh,

It was a pleasure speaking with you. As discussed, Mr. Hammond is available to speak within the most appropriate capacity as you determine. I will provide you a bio and head shot of Mr. Hammond if possible, and look forward to receiving the agenda and logistics from your office.

Thanks

Amanda Long
Executive Assistant
Office of the Assistant Secretary for Land & Minerals Management
Department of Interior - Bureau of Land Management
(202) 208-2197

On Thu, Jun 28, 2018 at 10:24 AM, Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org> wrote:

Good morning,

We would be honored to have Mr. Hammond speak at our annual meeting. The official "keynote" speaker role has been taken by EPA Region 8 Administrator Benevento, but if the title of "keynote" isn't important, we definitely have room. If that's acceptable, please let me know, and I'll be happy to share all other details of the event for logistics and planning purposes.

The annual meeting begins August 8th with an opening reception and dinner (frequently with a speaker during that dinner) which is open to our members and their families. The conference itself is all day August 9th, with speakers and presentations from Western Energy Alliance, and our board nominations and meeting at the end of the day. At the conclusion of business on the 9th, the conference is adjourned.

Please let me know if timing works and if there's a desire to speak; I know our membership would be very interested to hear from Mr. Hammond.

Best,

Brian Fakharzadeh

Vice President of Development and Operations
Western Energy Alliance
1775 Sherman Street, Ste. 2700
Denver, CO 80203
[redacted] (b)(6) Direct
303-623-0987 Main

bfakharzadeh@westernenergyalliance.org

From: Long, Amanda [mailto:adlong@blm.gov]
Sent: Wednesday, June 27, 2018 11:54 AM
To: Brian Fakharzadeh <bfakharzadeh@westernenergyalliance.org>
Cc: Cara Macdonald <cara_macdonald@ios.doi.gov>; Casey Hammond <casey_hammond@ios.doi.gov>; Yolando Mack-Thompson <ymackthompson@blm.gov>; Ursula Massey <umassey@blm.gov>
Subject: Western Energy Alliance Annual Meeting - Keynote Speaker Request

Good Afternoon Mr. Fakharzadeh,

I am in receipt of a request that was sent to Mr. Brian Steed of the Bureau of Land Management in January to speak as a keynote speaker at the upcoming Western Energy Alliance Annual Meeting on August 9th. It is my understanding that Mr. Steed will be unable to attend and that the request has been forwarded to the Office of the Assistant Secretary for Land and Minerals for consideration.

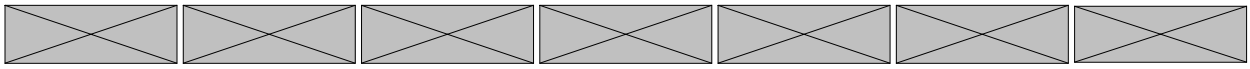
Deputy Assistant Secretary for Land and Minerals, Casey Hammond, has agreed to accept the invitation as keynote speaker if the invitation still stands. Please advise if a keynote speaker is still needed or if the request has been satisfied at this point.

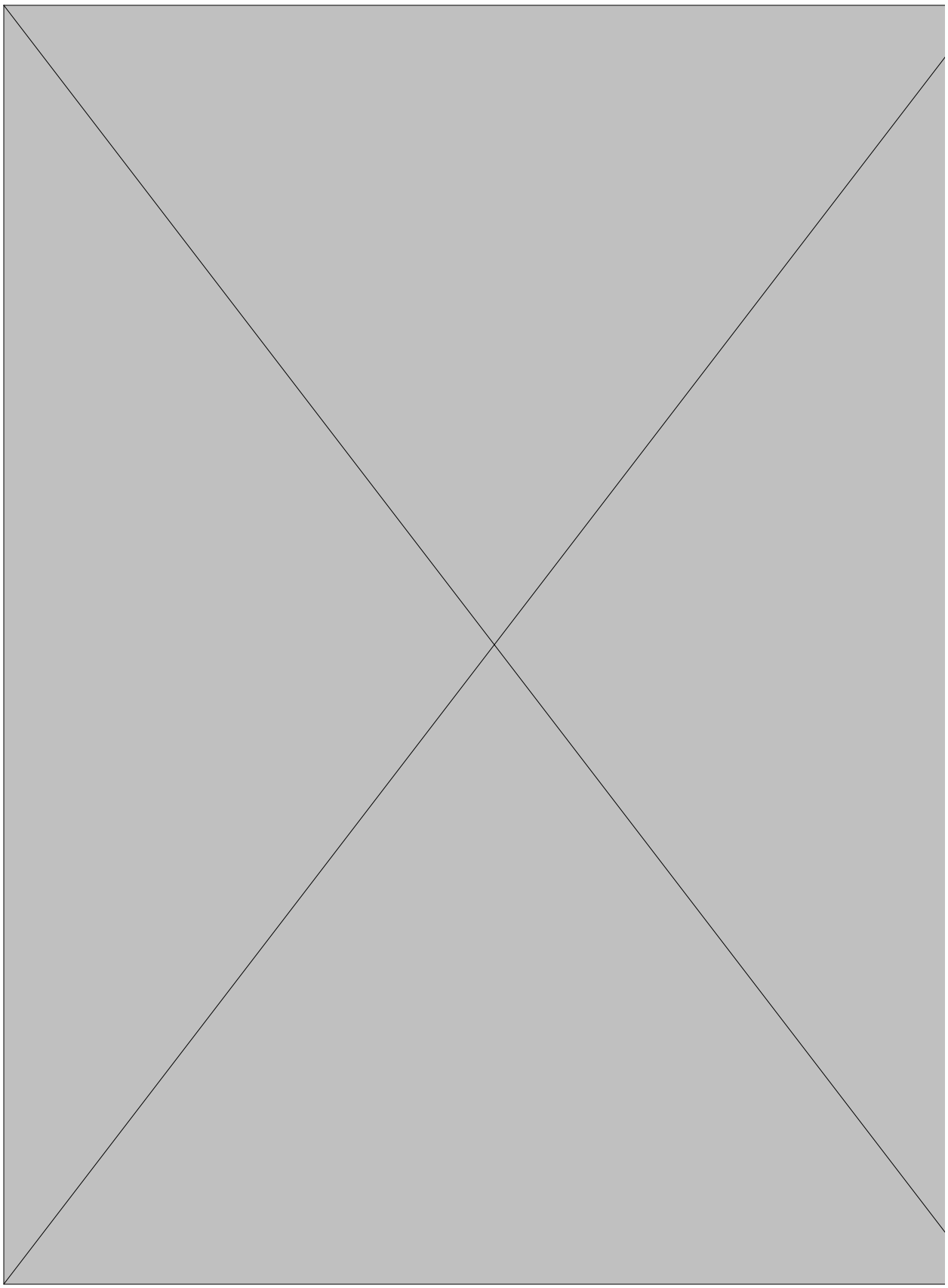
Deputy Secretary Hammond appreciates the opportunity and looks forward to participating at this and future events as needed. Thanks.

Sincerely,

Amanda Long
Executive Assistant
Office of the Assistant Secretary for Land & Minerals Management
Department of Interior - Bureau of Land Management
(202) 208-2197

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-07-24T20:02:26-04:00
Importance: Normal
Subject: [EXTERNAL] Don't forget to book your hotel room for The Energy Summit and get a discounted rate
Received: 2018-07-24T20:02:46-04:00





From: Williams, Timothy
Sent: 2018-07-26T12:58:46-04:00
Importance: Normal
Subject: ESA regulation proposal webinar info
Received: 2018-07-26T12:59:27-04:00

U.S. Fish and Wildlife Service and NOAA Fisheries Propose Changes to Improve Implementation of Endangered Species Act

What:
The U.S. Fish and Wildlife Service and NOAA Fisheries (Services) are proposing revisions to portions of their regulations that implement two key sections of the Endangered Species Act. The changes are part of an ongoing effort to improve implementation of the ESA so that our actions are clear and consistent, and provide the maximum degree of regulatory predictability to those who are affected by the Act.

These changes are being proposed to initiate a transparent public process. We encourage the public to provide input to ensure our regulations are clear and effective in advancing our goal of recovery. The proposals are aimed at reducing the regulatory burden on citizens, while simultaneously encouraging collaborative conservation from a broad range of partners to make the ESA as effective as possible in achieving its goal – recovery of our most imperiled species to the point they no longer need federal protection. You can learn more about the proposed revisions announced today at https://www.fws.gov/endangered/improving_ESA/regulation-revisions.html.

The Services will host a webinar on the proposed revisions.

Who: Infrastructure partners

When: July 30, 2018; 2:30 PM EST

How: Conference Call and Webinar
Number: [redacted] (b)(5)
Passcode: [redacted] (b)(5)
Participants can join the event directly at:
https://www.mymeetings.com/nc/join.php?i=PWXW7841469&p=4386820&t=c
Please be prepared to provide your name and affiliation

--
Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Andrew Casper
Sent: 2018-07-26T12:59:49-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: ESA regulation proposal webinar info
Received: 2018-07-26T12:59:58-04:00

Thank you for your email. I am out of the office, returning July 31. I look forward to returning your message at my earliest opportunity.
Thanks
Andrew

From: Williams, Timothy
Sent: 2018-07-26T13:00:35-04:00
Importance: Normal
Subject: Fwd: ESA regulation proposal webinar info
Received: 2018-07-26T13:01:13-04:00

U.S. Fish and Wildlife Service and NOAA Fisheries Propose Changes to Improve Implementation of Endangered Species Act

What:
The U.S. Fish and Wildlife Service and NOAA Fisheries (Services) are proposing revisions to portions of their regulations that implement two key sections of the Endangered Species Act. The changes are part of an ongoing effort to improve implementation of the ESA so that our actions are clear and consistent, and provide the maximum degree of regulatory predictability to those who are affected by the Act.

These changes are being proposed to initiate a transparent public process. We encourage the public to provide input to ensure our regulations are clear and effective in advancing our goal of recovery. The proposals are aimed at reducing the regulatory burden on citizens, while simultaneously encouraging collaborative conservation from a broad range of partners to make the ESA as effective as possible in achieving its goal – recovery of our most imperiled species to the point they no longer need federal protection. You can learn more about the proposed revisions announced today at https://www.fws.gov/endangered/improving_ESA/regulation-revisions.html.

The Services will host a webinar on the proposed revisions.

Who: Infrastructure partners

When: July 30, 2018; 2:30 PM EST

How: Conference Call and Webinar
Number: [redacted] (b)(5)
Passcode: [redacted] (b)(5)
Participants can join the event directly at:
https://www.mymeetings.com/nc/join.php?i=PWXW7841469&p=[redacted] (b)(5) &t=c
Please be prepared to provide your name and affiliation

--
Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior

Desk: (202) 208-6015

From: Williams, Timothy
Sent: 2018-07-26T13:01:09-04:00
Importance: Normal
Subject: Fwd: ESA regulation proposal webinar info
Received: 2018-07-26T13:01:48-04:00

U.S. Fish and Wildlife Service and NOAA Fisheries Propose Changes to Improve Implementation of Endangered Species Act

What:
The U.S. Fish and Wildlife Service and NOAA Fisheries (Services) are proposing revisions to portions of their regulations that implement two key sections of the Endangered Species Act. The changes are part of an ongoing effort to improve implementation of the ESA so that our actions are clear and consistent, and provide the maximum degree of regulatory predictability to those who are affected by the Act.

These changes are being proposed to initiate a transparent public process. We encourage the public to provide input to ensure our regulations are clear and effective in advancing our goal of recovery. The proposals are aimed at reducing the regulatory burden on citizens, while simultaneously encouraging collaborative conservation from a broad range of partners to make the ESA as effective as possible in achieving its goal – recovery of our most imperiled species to the point they no longer need federal protection. You can learn more about the proposed revisions announced today at https://www.fws.gov/endangered/improving_ESA/regulation-revisions.html.

The Services will host a webinar on the proposed revisions.

Who: Infrastructure partners

When: July 30, 2018; 2:30 PM EST

How: Conference Call and Webinar
Number: [redacted] (b)(5)
Passcode: [redacted] (b)(5)
Participants can join the event directly at:
https://www.mymeetings.com/nc/join.php?i=PWXW7841469&p=[redacted] (b)(5) &t=c
Please be prepared to provide your name and affiliation

--
Tim Williams
Deputy Director External Affairs

Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

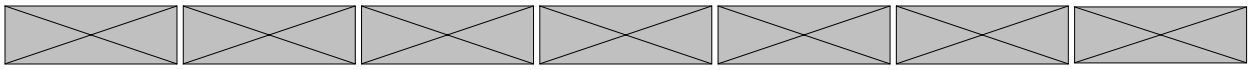
To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Kathleen Sgamma
Sent: 2018-07-26T13:08:48-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: ESA regulation proposal webinar info
Received: 2018-07-26T13:08:58-04:00

I'm out of the office, back in on July 30th. For media inquiries, contact Aaron Johnson, ajohnson@westernenergyalliance.org.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Mallori Miller
Sent: 2018-07-26T13:10:37-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: ESA regulation proposal webinar info
Received: 2018-07-26T13:10:45-04:00

I will be out of the office for business travel until Friday July 27th with limited access to email. Should you need immediate assistance, please call IPAA at 202-857-4722 and ask to speak with a member of the Government Relations team. Thank you.

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-07-31T18:02:35-04:00
Importance: Normal
Subject: [EXTERNAL] Don't miss out on author and journalist, Robert Bryce, Register Today
Received: 2018-07-31T18:02:44-04:00



To: Fleuret, Jennifer (jfleuret@blm.gov)[jfleuret@blm.gov]
Cc: Mary Jo Rugwell (mrugwell@blm.gov)[mrugwell@blm.gov]; Claypool, Larry K[lclaypoo@blm.gov]; James Cason (james_cason@ios.doi.gov)[james_cason@ios.doi.gov]; Joe Balash (joseph_balash@ios.doi.gov)[joseph_balash@ios.doi.gov]; Brian Steed (bsteed@blm.gov)[bsteed@blm.gov]; Mike McGrady[mike.mcgrady1@wyo.gov]; Bob Budd[bob.budd@wyo.gov]
From: Esther Wagner
Sent: 2018-08-02T13:12:21-04:00
Importance: Normal
Subject: [EXTERNAL] PAW Supplemental SG DRMPA Comments
Received: 2018-08-02T13:13:00-04:00
PAW SG DRMP Supplemental Comments 8-2-18.pdf

Good morning,

Attached are the Petroleum Association of Wyoming's (PAW) supplemental comments on the Wyoming Greater Sage-Grouse Draft Resource Management Plan Amendment and Environmental Impact Statement.

Please let me know if you have any questions.

Sincerely,

Esther Wagner

Esther Wagner
Vice President - Public Lands
Petroleum Association of Wyoming
Office (307) 234-5333
Cell [redacted] (b)(6)
Fax (307) 266-9928

PETROLEUM ASSOCIATION OF WYOMING

951 Werner Court, Suite 100
Casper, Wyoming 82601
(307) 234-5333

fax (307) 266-2189
e-mail: paw@pawyo.org
www.pawyo.org

August 2, 2018

Jennifer Fleuret
Bureau of Land Management
Wyoming State Office
Attn: Greater Sage-Grouse EIS
5353 Yellowstone Rd.
Cheyenne, WY 82009

SENT VIA EMAIL TO: jfleuret@blm.gov

RE: Wyoming Greater Sage-Grouse Draft Resource Management Plan Amendment and Draft Environmental Impact Statement

Dear Ms. Fleuret:

On behalf of the Petroleum Association of Wyoming (PAW) following are supplemental comments to those submitted on July 18, 2018 on the Wyoming Greater Sage-Grouse Draft Resource Management Plan Amendment and Draft Environmental Impact Statement (DRMPA/DEIS). PAW is Wyoming's largest and oldest petroleum industry trade association dedicated to the betterment of the state's oil and gas industry and public welfare. PAW members, ranging from independent operators to integrated companies, account for approximately ninety percent of the natural gas and eighty percent of the crude oil produced in Wyoming. PAW members have vested interests in oil and gas development throughout the state and offer the following comments.

In light of BLM IM No. 2018-093 dated July 24, 2018 regarding compensatory mitigation (CM IM), PAW maintains there is nothing in the CM IM that precludes BLM from approving stipulation exception requests that have been approved by the Wyoming Game and Fish Department (WGFD). The State has the lead role in managing Greater Sage-Grouse (GRSG) and permits oil and gas on federal, state and private land in Wyoming. As stated in our previous comments on July 18, 2018, it is important to note that stipulation exceptions are not systematically granted and the State of Wyoming has a process and parameters in place which includes evaluation by the Wyoming Game and Fish Department (WGFD) to ensure that avoidance and minimization have been used and the proposed project is consistent with the State's Compensatory Mitigation Framework. As such, it makes sense that stipulation exceptions approved by the State should be honored by BLM.

The current process for GRSG exception requests as devised by the State is as follows:

1. An operator determines it would like to obtain a stipulation exception, such as a timing stipulation exception, and provides a request to the WGFD that includes documentation of the avoidance and minimization measures that are already part of the project design.

2. The WGFD reviews the proposal and makes a determination of whether or not to approve the exception request.
3. If the exception request is granted, the WGFD documents such approval of the exception in a letter that is part of the state-approved APD. The letter will include any conditions of approval associated with the exception request, such as travel plans, etc.

Through this process, the operator *voluntarily engages with the WGFD for an exception request*. With this in mind, the operator would submit the WGFD exception approval letter to the BLM as part of its federal APD package. BLM can and should approve the exception as endorsed by the WGFD – adopting the environmental analysis of impacts associated with the exception and the balancing avoidance, minimization and compensatory mitigation measures inherent in the State's Compensatory Mitigation Framework – and include the exception in the APD decision record. It is important to note that it will be necessary for BLM to grant exceptions related to GRSG at the point of APD approval which needs to be provided for in the Final Wyoming GRSG RMP Amendment.

PAW maintains the CM IM fully supports BLM's ability to grant stipulation exceptions in exchange for voluntary compensatory mitigation as outlined in the State of Wyoming's Compensatory Mitigation Framework.

RECOMMENDATION 12: A provision needs to be included in the Final Wyoming Greater Sage-Grouse RMP Amendment that BLM will grant exceptions approved by the WGFD, adopt the environmental analysis inherent in the State process, and incorporate the exception approvals in APD decision records.

Thank you for the opportunity to provide additional comments on the DRMPA/DEIS. Please feel free to contact me with any questions.

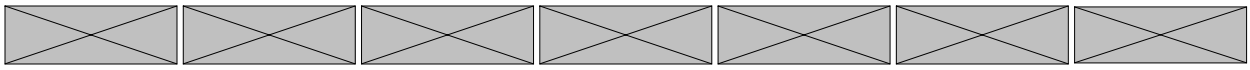
Sincerely,

Esther Wagner

Esther Wagner
Vice President – Public Lands

cc: Mary Jo Rugwell, BLM Wyoming State Director
Larry Claypool, BLM Wyoming Associate State Director
Jim Cason, DOI Associate Deputy Secretary
Joe Balash, DOI Assistant Secretary, Land and Minerals Management
Brian Steed, BLM Deputy Director, Policy and Programs
Mike McGrady, Policy Advisor, Wyoming Governor Matthew Mead's Office
Bob Budd, Chairman, Sage-Grouse Implementation Team

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-08-02T18:47:11-04:00
Importance: Normal
Subject: [EXTERNAL] The Energy Summit Executive Forum - Urban Development & Being a Better Neighbor
Received: 2018-08-02T18:47:18-04:00



To: Brian Fakharzadeh[bfakharzadeh@westernenergyalliance.org]
From: Casey Hammond
Sent: 2018-08-03T15:31:52-04:00
Importance: Normal
Subject: Conference
Received: 2018-08-03T15:31:58-04:00

Hey Brian,

What is the expected dress for this event?

Thanks,

Casey

Sent from my iPhone

To: Casey Hammond[casey_hammond@ios.doi.gov]
From: Brian Fakharzadeh
Sent: 2018-08-03T15:48:11-04:00
Importance: Normal
Subject: [EXTERNAL] Re: Conference
Received: 2018-08-03T15:48:25-04:00

Business casual. I believe most speakers will be in sport coats, but certainly not a suit.

Really looking forward to having you join us!

If there's anything else you need from me, don't hesitate to ask.

Best,

Brian Fakharzadeh
VP, Development and Operations
Western Energy Alliance

303 623 0987 | office main
[redacted] (b)(6) | cell

bfakharzadeh@westernenergyalliance.org

> On Aug 3, 2018, at 1:32 PM, Casey Hammond <casey_hammond@ios.doi.gov> wrote:
>
> Hey Brian,
>
> What is the expected dress for this event?
>
> Thanks,
>
> Casey
>
> Sent from my iPhone

To: bfakharzadeh@westernenergyalliance.org[bfakharzadeh@westernenergyalliance.org]
From: Hammond, Casey
Sent: 2018-08-03T17:22:59-04:00
Importance: Normal
Subject: Out of Office: return 8/16 Re: [EXTERNAL] Re: Conference
Received: 2018-08-03T17:23:06-04:00

I am out of the office until Thursday, August 16th. I will have occasional access to email during this time. If you need immediate assistance please contact Cara Lee Macdonald at 202-208-2654.

--
Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

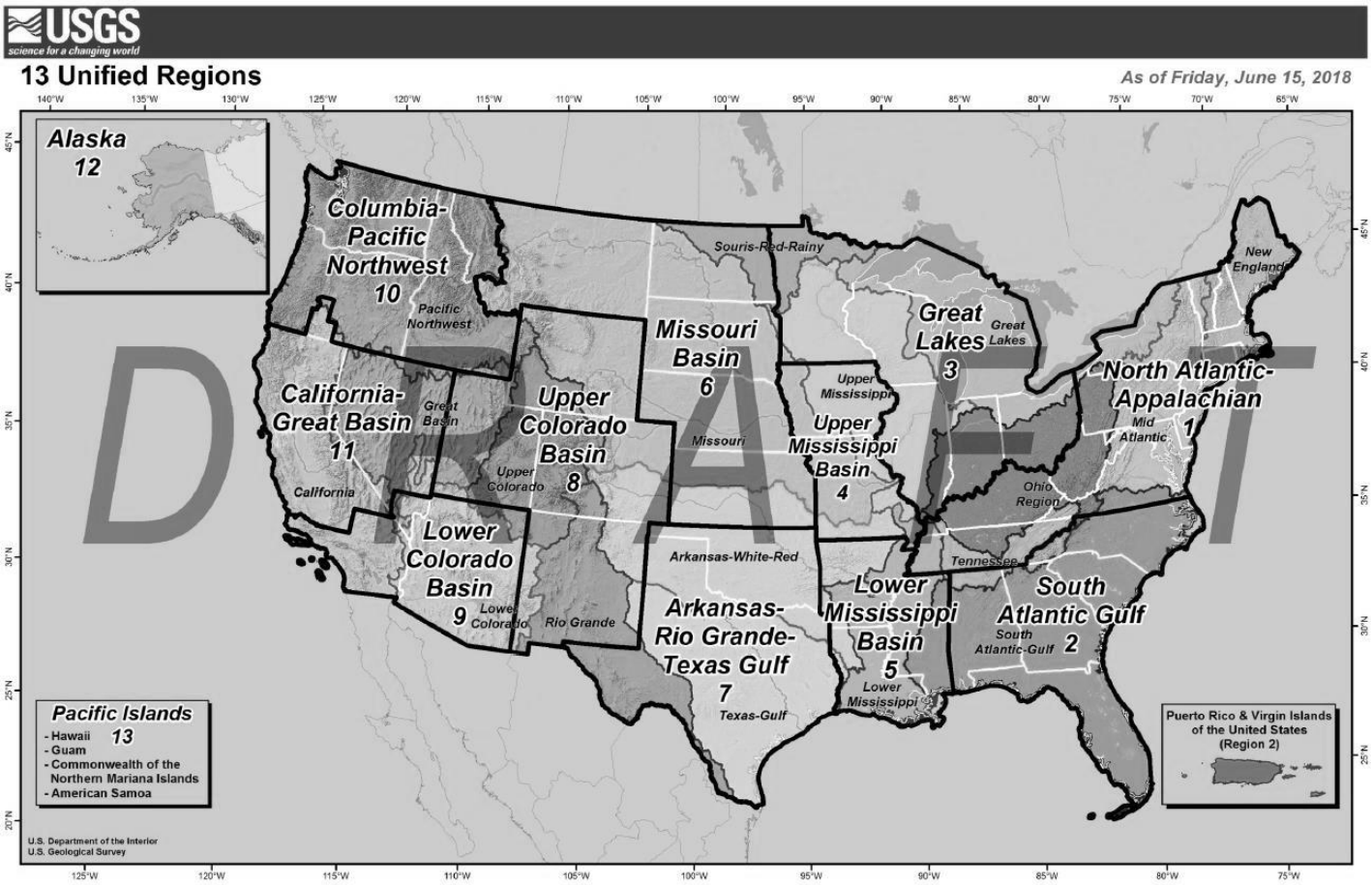
To: bfakharzadeh@westernenergyalliance.org[bfakharzadeh@westernenergyalliance.org]
From: Casey Hammond
Sent: 2018-08-08T14:19:09-04:00
Importance: Normal
Subject: Slides
Received: 2018-08-08T14:19:18-04:00
ATT00001.htm
ch.pptx

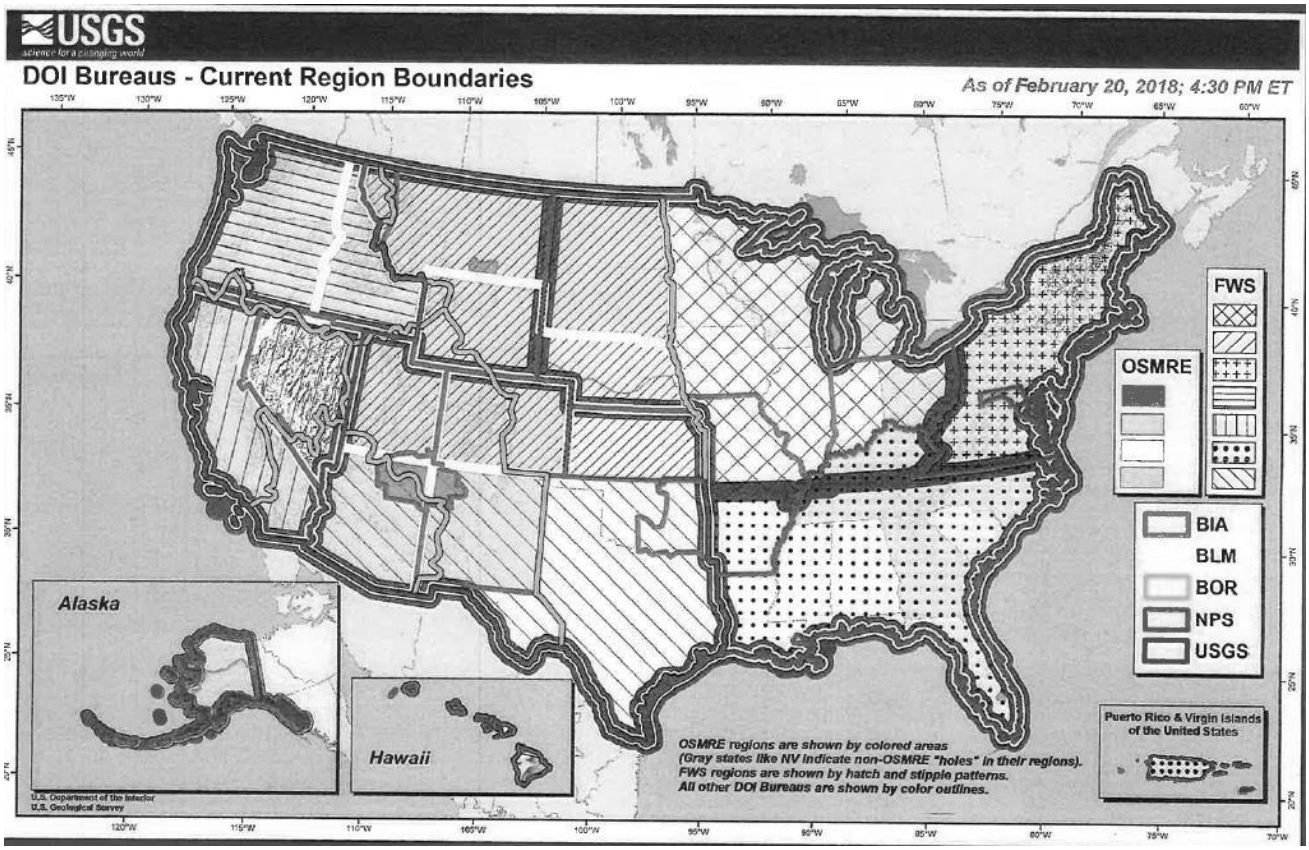
Hello Brian,
I may want to use these reorg slides tomorrow.

Thanks,

Casey

Sent from my iPhone

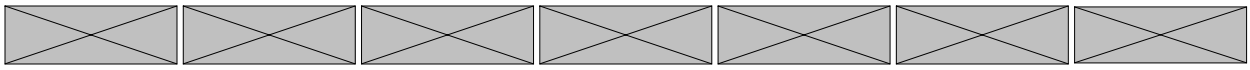

USGS
science for a changing world
13 Unified Regions
As of Friday, June 15, 2018
Alaska
12
Columbia-Pacific Northwest
10
Pacific Northwest
California-Great Basin
11
Great Basin
California
Upper Colorado Basin
8
Upper Colorado
Lower Colorado Basin
9
Lower Colorado
Rio Grande
Missouri Basin
6
Missouri
Souris-Red-Rainy
Arkansas-Rio Grande-Texas Gulf
7
Arkansas-White-Red
Texas-Gulf
Upper Mississippi Basin
4
Upper Mississippi
Great Lakes
3
Great Lakes
Lower Mississippi Basin
5
Lower Mississippi
Tennessee
Ohio Region
South Atlantic Gulf
2
South Atlantic-Gulf
North Atlantic-Appalachian
1
Mid Atlantic
New England
Pacific Islands
- Hawaii 13
- Guam
- Commonwealth of the Northern Mariana Islands
- American Samoa
Puerto Rico & Virgin Islands of the United States (Region 2)
U.S. Department of the Interior
U.S. Geological Survey
DRAFT


USGS
science for a changing world
DOI Bureaus - Current Region Boundaries
As of February 20, 2018; 4:30 PM ET
FWS
OSMRE
BIA
BLM
BOR
NPS
USGS
Alaska
Hawaii
Puerto Rico & Virgin Islands of the United States
OSMRE regions are shown by colored areas
(Gray states like NV indicate non-OSMRE "holes" in their regions).
FWS regions are shown by hatch and stipple patterns.
All other DOI Bureaus are shown by color outlines.
U.S. Department of the Interior
U.S. Geological Survey

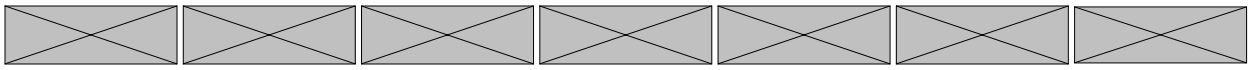
Notes Summary:

No speaker notes are contained in this presentation.

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-08-13T18:33:03-04:00
Importance: Normal
Subject: [EXTERNAL] The Energy Summit Closing Keynote - Election 2018 & More
Received: 2018-08-13T18:33:25-04:00



To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-08-15T18:32:14-04:00
Importance: Normal
Subject: [EXTERNAL] Business Power Lunch featuring Polis and Stapleton - Only at The Energy Summit
Received: 2018-08-15T18:32:18-04:00



From: Williams, Timothy
Sent: 2018-08-29T12:00:58-04:00
Importance: Normal
Subject: Fwd: Department of the Interior - Reorg Update
Received: 2018-08-29T12:02:13-04:00
12_Unified_Regions_Based_on_Watersheds_July 20 (1).pdf

Wanted to provide you with an update on the work we're doing to modernize and reorganize the Department of Interior (DOI).

Secretary Zinke's vision for reorganization is to improve overall operations, internal communication, service to the American public, and stakeholder engagement. Aligning geographic jurisdictions across the Department will enhance coordination of resources and will simplify how the American public engages with DOI - particularly within the realm of recreation, conservation, and federal permitting.
As you may recall, DOI has been working on reorganization since last year. In January of 2018, DOI launched a major step in the reorganization effort by hosting meetings and calls with Governors, local governments and external stakeholders to discuss a draft map of the Unified Regional Boundaries concept. In addition to connecting with our intergovernmental and external partners, we invited our career Senior Executive Service (SES) employees from all over the country to a series of meetings in Washington, D.C. to collaborate on the concept.
Since those initial discussions and the hundreds of meetings across the country with intergovernmental partners and external stakeholders, we have established a final version of DOI's twelve new Unified Regions for all of Interior's Bureaus except for those which fall under the leadership of the Assistant Secretary of Indian Affairs. The new Unified Regions are displayed in the attached map.
In the coming weeks, we will take actions to align DOI into the twelve unified regional boundaries. Bureau regional boundaries will transition from their current regional structures to participate in the new twelve unified regional boundaries. We are not reprogramming funds or making other specific organizational changes in the bureaus at this time. The Department does not anticipate mission, budget, or personnel impacts as the twelve new unified regions stand up virtually and begin operation.
These new Unified Regional Boundaries provide the framework for a new way of doing business. As we move forward, with your support, our new Unified Regions will allow important decisions to be made closer to where our stakeholders and intergovernmental partners live and work, and will greatly simplify our operations, and improve the services we provide.

Here are the next most immediate steps in this process:

- Create Regional Leadership Teams composed of SES employees from each Bureau in each Unified Region.

- The SES Leadership Team of each Unified Region will identify a Regional Facilitator.

The Regional Facilitator is tasked with collectively organizing activities of the Unified region on six specific areas: collaborative conservation, recreation, permitting, acquisition, human resource management, and information technology management.

- Regional Leadership Teams will then identify key personnel and create six individual teams to work on the six areas of focus in each region. Tasks to be addressed by the Regional Facilitator and specific deliverables will be developed during this period.

- The Regional Facilitators and the Regional Leadership Teams will identify the "as is" and "future state" operations for their Unified Region.

- The Regional Facilitators and the Regional Leadership Teams will also develop an options paper to be used in selecting the Interior Regional Director (IRD) and in establishing an IRD rotation process. The IRD duties for each Unified Region will be similar, but geographic areas of the country will require slightly different skills and experience depending on the priority issues for that Unified Region.

Here is a link to the new FAQ that has been updated to include more information about the twelve unified regions and the role of the Interior Regional Directors. Here is a link to where you can find more information on this effort including the final Unified Regional Boundary Map.

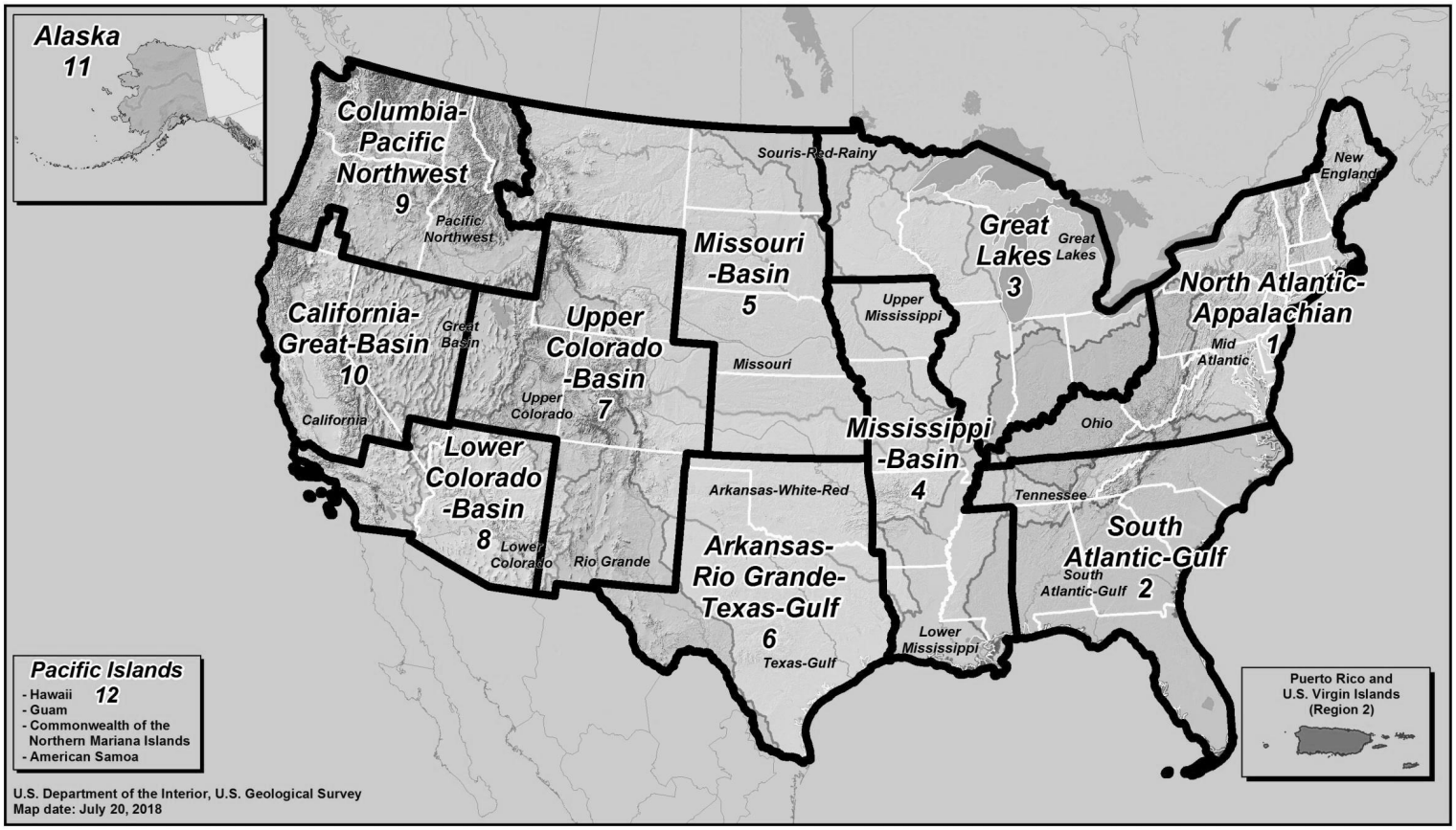
Also, today we are sending two letters updating DOI staff of the changes. One letter will be sent to all DOI employees and one specifically to our Senior Executive Service employees who have played an integral role in the development of the reorganization.

We value your input and feedback as we continue with this process. Please continue to send us ideas, thoughts, and concerns. Also, if you would like to set up a conference call or meeting to discuss in further detail, I am happy to help facilitate.

--

Tim Williams
Deputy Director External Affairs
Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

12 Unified Regions Based on Watersheds



To: casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]
From: Tripp Parks
Sent: 2018-09-05T12:41:05-04:00
Importance: Normal
Subject: Meeting Next Week?
Received: 2018-09-05T12:41:17-04:00

Casey,

Great seeing you out here in Colorado last month. I'm bringing a small group of Alliance members to DC next week, and wondering if you have any time to meet with us on Wednesday the 12th? We're setting up a couple meetings at Interior that day and are completely flexible on timing. Let me know if that works!

Tripp Parks
Manager of Government Affairs
Western Energy Alliance
[redacted] (b)(6)

To: casey_hammond@ios.doi.gov[casey_hammond@ios.doi.gov]
From: Tripp Parks
Sent: 2018-09-05T12:41:05-04:00
Importance: Normal
Subject: [EXTERNAL] Meeting Next Week?
Received: 2018-09-05T12:41:36-04:00

Casey,

Great seeing you out here in Colorado last month. I'm bringing a small group of Alliance members to DC next week, and wondering if you have any time to meet with us on Wednesday the 12th? We're setting up a couple meetings at Interior that day and are completely flexible on timing. Let me know if that works!

Tripp Parks
Manager of Government Affairs
Western Energy Alliance
[redacted] (b)(6)

To: Tripp Parks[tparks@westernenergyalliance.org]
Cc: adlong@blm.gov[adlong@blm.gov]
From: Casey Hammond
Sent: 2018-09-05T12:56:46-04:00
Importance: Normal
Subject: Re: [EXTERNAL] Meeting Next Week?
Received: 2018-09-05T12:56:52-04:00

Sure. That day has a lot of flexibility right now. Amanda is cc'd and can help with that. Also, do you have the pictures from the CO meeting?

Casey Hammond
Deputy Assistant Secretary
Land and Minerals Management
Department of the Interior

On Sep 5, 2018, at 11:41 AM, Tripp Parks <tparks@westernenergyalliance.org> wrote:

> Casey,
>
> Great seeing you out here in Colorado last month. I'm bringing a small group of Alliance members to DC next week, and wondering if you have any time to meet with us on Wednesday the 12th? We're setting up a couple meetings at Interior that day and are completely flexible on timing. Let me know if that works!
>
> Tripp Parks
> Manager of Government Affairs
> Western Energy Alliance
> [redacted] (b)(6)

To: Casey Hammond[casey_hammond@ios.doi.gov]
Cc: adlong@blm.gov[adlong@blm.gov]
From: Tripp Parks
Sent: 2018-09-05T13:09:21-04:00
Importance: Normal
Subject: RE: [EXTERNAL] Meeting Next Week?
Received: 2018-09-05T13:10:40-04:00

Excellent. Amanda, we're happy to meet at the most convenient time for Casey.

We've got plenty of photos – what's the best way to share them?

From: Casey Hammond <casey_hammond@ios.doi.gov>
Sent: Wednesday, September 5, 2018 10:57 AM
To: Tripp Parks <tparks@westernenergyalliance.org>
Cc: adlong@blm.gov
Subject: Re: [EXTERNAL] Meeting Next Week?

Sure. That day has a lot of flexibility right now. Amanda is cc'd and can help with that.

Also, do you have the pictures from the CO meeting?

Casey Hammond
Deputy Assistant Secretary
Land and Minerals Management
Department of the Interior
On Sep 5, 2018, at 11:41 AM, Tripp Parks <tparks@westernenergyalliance.org> wrote:

> Casey,
>
> Great seeing you out here in Colorado last month. I'm bringing a small group of Alliance members to DC next week, and wondering if you have any time to meet with us on Wednesday the 12th? We're setting up a couple meetings at Interior that day and are completely flexible on timing. Let me know if that works!
>
> Tripp Parks
> Manager of Government Affairs
> Western Energy Alliance
> [redacted] (b)(6)

To: Tripp Parks[tparks@westernenergyalliance.org]
From: Casey Hammond
Sent: 2018-09-05T13:34:27-04:00
Importance: Normal
Subject: Re: [EXTERNAL] Meeting Next Week?
Received: 2018-09-05T13:34:34-04:00

A google share, something like that

Casey Hammond
Deputy Assistant Secretary
Land and Minerals Management
Department of the Interior

On Sep 5, 2018, at 12:09 PM, Tripp Parks <tparks@westernenergyalliance.org> wrote:

> Excellent. Amanda, we're happy to meet at the most convenient time for Casey.
>
> We've got plenty of photos – what's the best way to share them?
>
> ---
>
> **From:** Casey Hammond <casey_hammond@ios.doi.gov>
> **Sent:** Wednesday, September 5, 2018 10:57 AM
> **To:** Tripp Parks <tparks@westernenergyalliance.org>
> **Cc:** adlong@blm.gov
> **Subject:** Re: [EXTERNAL] Meeting Next Week?
>
> Sure. That day has a lot of flexibility right now. Amanda is cc'd and can help with that.
>
> Also, do you have the pictures from the CO meeting?
>
> Casey Hammond
> Deputy Assistant Secretary
> Land and Minerals Management
> Department of the Interior
> On Sep 5, 2018, at 11:41 AM, Tripp Parks <tparks@westernenergyalliance.org> wrote:
>
>> Casey,
>>
>> Great seeing you out here in Colorado last month. I'm bringing a small group of Alliance members to DC next week, and wondering if you have any time to meet with us on Wednesday the 12th? We're setting up a couple meetings at Interior that day and are completely flexible on timing. Let me know if that works!
>>
>> Tripp Parks
>> Manager of Government Affairs
>> Western Energy Alliance
>> [redacted] (b)(6)

To: Long, Amanda[adlong@blm.gov]
Cc: Casey Hammond[casey_hammond@ios.doi.gov]
From: Tripp Parks
Sent: 2018-09-05T15:49:51-04:00
Importance: Normal
Subject: RE: [EXTERNAL] Meeting Next Week?
Received: 2018-09-05T15:50:00-04:00

Thanks Amanda, 11:00 works great. The list of participants is below. Casey, I'll throw the pictures on a google drive and send that link separately.

Spencer Kimball, EOG Resources
Kaylene Gardner, Northwoods Energy
Chris Jensen, BP Lower 48
Ethan Ditmanson, Noble Energy
Brian Woodard, Chesapeake Resources
Suzi Holland, Chevron
Tripp Parks, Western Energy Alliance

From: Long, Amanda <adlong@blm.gov>
Sent: Wednesday, September 5, 2018 1:43 PM
To: Tripp Parks <tparks@westernenergyalliance.org>
Cc: Casey Hammond <casey_hammond@ios.doi.gov>
Subject: Re: [EXTERNAL] Meeting Next Week?

Hello Tripp,

Depending on the quantity of pictures, they could probably just be sent by email or you can do a presentation of them during the meeting. Let's do next Wednesday at 11:00. Please send me a list of participants and titles and I will get it scheduled.

Amanda Long
Executive Assistant
Office of the Assistant Secretary for Land & Minerals Management
Department of Interior - Bureau of Land Management
(202) 208-2197

On Wed, Sep 5, 2018 at 1:09 PM, Tripp Parks <tparks@westernenergyalliance.org> wrote:
Excellent. Amanda, we're happy to meet at the most convenient time for Casey.

We've got plenty of photos – what's the best way to share them?

From: Casey Hammond <casey_hammond@ios.doi.gov>
Sent: Wednesday, September 5, 2018 10:57 AM
To: Tripp Parks <tparks@westernenergyalliance.org>
Cc: adlong@blm.gov
Subject: Re: [EXTERNAL] Meeting Next Week?

Sure. That day has a lot of flexibility right now. Amanda is cc'd and can help with that.

Also, do you have the pictures from the CO meeting?

Casey Hammond
Deputy Assistant Secretary
Land and Minerals Management
Department of the Interior
On Sep 5, 2018, at 11:41 AM, Tripp Parks <tparks@westernenergyalliance.org> wrote:

> Casey,
>
> Great seeing you out here in Colorado last month. I'm bringing a small group of Alliance members to DC next week, and wondering if you have any time to meet with us on Wednesday the 12th? We're setting up a couple meetings at Interior that day and are completely flexible on timing. Let me know if that works!
>
> Tripp Parks
> Manager of Government Affairs
> Western Energy Alliance
> [redacted] (b)(6)

From: casey_hammond@ios.doi.gov
Location: Rm 6616
Importance: Normal
Subject: Invitation: Meet w/Western Energy Alliance @ Wed Sep 12, 2018 11am - 11:30am (EDT) (tparks@westernenergyalliance.org)
Start Date/Time: 2018-09-12T11:00:00-04:00
End Date/Time: 2018-09-12T11:30:00-04:00
invite.ics

more details »

Meet w/Western Energy Alliance

When	Wed Sep 12, 2018 11am – 11:30am Eastern Time - New York
Where	Rm 6616 (map)
Video call	[redacted] (b)(5),(b)(6)
Calendar	tparks@westernenergyalliance.org
Who	

- casey_hammond@ios.doi.gov - organizer
- adlong@blm.gov - creator
- tparks@westernenergyalliance.org

Casey,

Great seeing you out here in Colorado last month. I'm bringing a small group of Alliance members to DC next week, and wondering if you have any time to meet with us on Wednesday the 12th? We're setting up a couple meetings at Interior that day and are completely flexible on timing. Let me know if that works!

Spencer Kimball, EOG Resources
Kaylene Gardner, Northwoods Energy

Chris Jensen, BP Lower 48

Ethan Ditmanson, Noble Energy

Brian Woodard, Chesapeake Resources

Suzi Holland, Chevron

Tripp Parks, Western Energy Alliance

Tripp Parks
Manager of Government Affairs

Western Energy Alliance

[redacted] (b)(6)

Going? **Yes** - **Maybe** - **No** more options »

Meet w/Western Energy Alliance
Rm 6616
20180912T150000Z
CONFIRMED

PRODID
-//Google Inc//Google Calendar 70.9054//EN

Version
2.0

CALSCALE
GREGORIAN

METHOD
REQUEST

Start Date/Time
20180912T150000Z

End Date/Time
20180912T153000Z

DTSTAMP
20180905T203137Z

ORGANIZER (CN=casey_hammond@ios.doi.gov)
mailto:casey_hammond@ios.doi.gov

UID
1sh97jltmhsulftcm0u4nv93vt@google.com

Attendee **mailto:casey_hammond@ios.doi.gov**
Role REQ-PARTICIPANT
RSVP TRUE

Attendee **mailto:tparks@westernenergyalliance.org**
Role REQ-PARTICIPANT
RSVP TRUE

CREATED
20180905T194419Z

Description
Casey,

Great seeing you out here in Colorado last month. I'm bringing a small group of Alliance members to DC next week, and wondering if you have any time to meet with us on Wednesday the 12th? We're setting up a couple meetings at Interior that day and are completely flexible on timing. Let me know if that works!

Spencer Kimball, EOG Resources
Kaylene Gardner, Northwoods Energy

Chris Jensen, BP Lower 48

Ethan Ditmanson, Noble Energy

Brian Woodard, Chesapeake Resources

Suzi Holland, Chevron

Tripp Parks, Western Energy Alliance

Tripp Parks
Manager of Government Affairs

Western Energy Alliance

[redacted] (b)(6)

-::~:~::~::~:~::-
Please do not edit this section of the description.

This event has a Google Hangouts video call.
Join: [redacted] (b)(5),(b)(6)
[redacted] (b)(5),(b)(6)

View your event at
https://www.google.com/calendar/event?action=VIEW&eid=MXNoOTdqbHRtaHN1bGZ0Y20wdTRudjkzdnQgdHBhcmtzQHdlc3Rlcm5lbmVyZ3lhbGxpYW5jZS5vcmc&tok=MjUjY2FzZXlfaGFtbW9uZEBpb3MuZG9pLmdvdmRmMTRmNWQ3YTk3ZmIyZTZiYTA4NjdkMDFkZGU1YjNmNDdlZWI2NjI&ctz=America%2FNew_York&hl=en&es=1.
-::~:~::~::~:~::-

Last Modified
20180905T203136Z

Location
Rm 6616

Sequence Number
0

Status
CONFIRMED

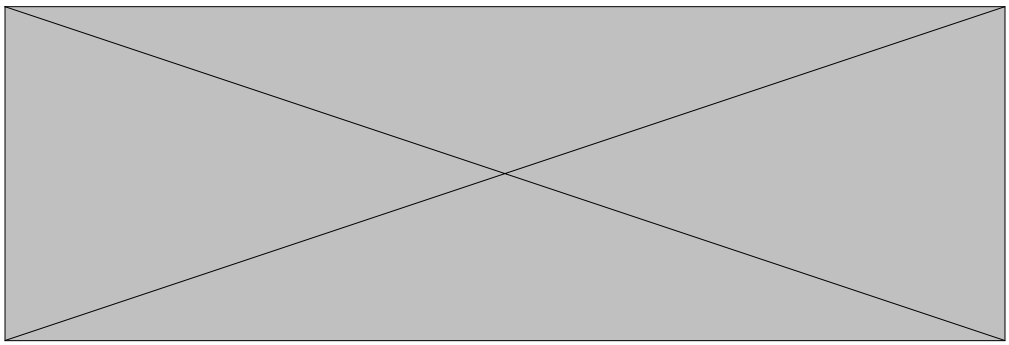
Summary
Meet w/Western Energy Alliance

Time Transparency
OPAQUE

From: Tripp Parks
Location: Rm 6616
Importance: Normal
Subject: Accepted: Invitation: Meet w/Western Energy Alliance @ Wed Sep 12, 2018 11am - 11:30am (EDT) (tparks@westernenergyalliance.org)
Start Date/Time: 2018-09-12T11:00:00-04:00
End Date/Time: 2018-09-12T11:30:00-04:00

From: Tripp Parks
Location: Rm 6616
Importance: Normal
Subject: [EXTERNAL] Accepted: Invitation: Meet w/Western Energy Alliance @ Wed Sep 12, 2018 11am - 11:30am (EDT) (tparks@westernenergyalliance.org)
Start Date/Time: 2018-09-12T11:00:00-04:00
End Date/Time: 2018-09-12T11:30:00-04:00

From: Williams, Timothy
Sent: 2018-09-07T09:06:43-04:00
Importance: Normal
Subject: Fwd: They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale
Received: 2018-09-07T09:07:24-04:00



Date: September 6, 2018
Contact: Interior_Press@ios.doi.gov

They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale

WASHINGTON – In a testament to the Trump Administration's America First Energy Plan, the Bureau of Land Management's (BLM) third-quarter oil and gas lease sale in New Mexico broke all previous records by grossing nearly $1 billion in bonus bids for 142 parcels. The two-day sale brought in more revenue than all BLM oil and gas sales in 2017 combined, and surpassed BLM's previous best sales year. Revenue from the sale totaled $972,483,619.50 and illustrates the Trump Administration's commitment to sustainably developing America's energy and natural resources to achieve American energy dominance.

"Critics of the Administration's American Energy Dominance policy often falsely claim there is little to no interest in Federal oil and gas leases. Today, they are eating their words and once again President Trump's policies are bearing fruit for the American people. The people of New Mexico will see about a half a billion dollars of this right back into their roads, schools, and public services," **said Secretary Zinke.** "This historic lease sale shows what is possible when we leverage the vast natural resources we have in our country, using innovation, best science, and best practices. We can ensure reliable, safe, abundant, and affordable energy for all Americans, and New Mexico is a centerpiece of our all-of-the-above energy future. I applaud the President for his leadership on this issue and look forward to continuing the success."

"The results of this sale show the success that comes with sound energy policy that seeks to use working public lands to ensure reliable energy sources and job growth opportunities," **said BLM Deputy Director for Policy and Programs Brian Steed.** "The Administration remains committed to an era of American energy independence through our multiple-use mission that ensures opportunities for commercial, recreational, and conservation activities on healthy and

productive public lands."

The two-day, online sale of parcels in the Carlsbad Field Office, located in southeastern New Mexico, easily outpaced what used to be the BLM's largest sales year ever in 2008, which generated $408,631,537. Illustrating the robustness of the sale, 71 parcels (28,036 acres) were sold on day one, for total receipts of almost $386 million – more revenue than all BLM oil and gas leases sales combined in 2017, which was approximately $358 million.

In addition to the record total bonus bids, the first day of the sale also resulted in a national record for the highest bid for a single parcel, and the highest per-acre bid ever placed. The winning bid for a 1,240-acre parcel in Eddy County was $81,889 per acre, bringing in more than $101.5 million. The previous record for a single parcel was $76,680,000, set in September 2016 in New Mexico. The previous record for a per-acre bid was $40,001 set in New Mexico in December 2017.

Forty-eight percent of the revenue from lease sales goes to the state where the oil and gas activity is occurring, while the rest goes to the U.S. Treasury. If the leases result in producing oil or gas wells, revenue from royalties based on production are also shared with the state.

A bonus bid is a one-time payment in exchange for exclusive access to explore a parcel and grants an exclusive lease for a set period of time. The BLM awards oil and gas leases for a term of 10 years and as long thereafter as there is production of oil and gas in paying quantities.

The BLM is a key contributor to the Trump Administration's America-First Energy Plan, which is an all-of-the-above plan that includes oil and gas, coal, strategic minerals, and renewable sources such as wind, geothermal, and solar – all of which can be developed on public lands.

###

.

--

Tim Williams
Deputy Director External Affairs

Office of the Secretary
U.S. Department of the Interior
Desk: (202) 208-6015

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Neal Kirby
Sent: 2018-09-07T09:08:03-04:00
Importance: Normal
Subject: Automatic reply: They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale
Received: 2018-09-07T09:08:14-04:00

Neal Kirby is no longer employed with IPAA. If this is a press inquiry and you need immediate assistance, please contact Jeff Eshelman at 202-857-4722 or jeshelman@ipaa.org. Thank you.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Neal Kirby
Sent: 2018-09-07T09:08:03-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale
Received: 2018-09-07T09:08:20-04:00

Neal Kirby is no longer employed with IPAA. If this is a press inquiry and you need immediate assistance, please contact Jeff Eshelman at 202-857-4722 or jeshelman@ipaa.org. Thank you.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Patrick Padilla
Sent: 2018-09-07T09:08:11-04:00
Importance: Normal
Subject: Automatic reply: They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale
Received: 2018-09-07T09:08:20-04:00

Thank you for your email. While I have wholeheartedly enjoyed my time at NMOGA, I have chosen to accept a new opportunity outside of the organization as of July 30th, 2018. Please contact Marie Gutierrez y Alarid at 505-982-2568 or marieg@nmoga.org for assistance with all matters relating to NMOGA.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Patrick Padilla
Sent: 2018-09-07T09:08:11-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale
Received: 2018-09-07T09:08:33-04:00

Thank you for your email. While I have wholeheartedly enjoyed my time at NMOGA, I have chosen to accept a new opportunity outside of the organization as of July 30th, 2018. Please contact Marie Gutierrez y Alarid at 505-982-2568 or marieg@nmoga.org for assistance with all matters relating to NMOGA.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Brian Johnson
Sent: 2018-09-07T09:08:37-04:00
Importance: Normal
Subject: Automatic reply: They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale
Received: 2018-09-07T09:08:49-04:00

Thank you for contacting me. As of August 24, 2018 I am no longer with API.

Starting September 10, 2018, I will be a Principal at The Vogel Group and can be reached at Brian@VogelGroupDC.com.

For API matters, please contact the main number at 202-682-8000 and someone will be able to assist you.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Brian Johnson
Sent: 2018-09-07T09:08:37-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale
Received: 2018-09-07T09:09:02-04:00

Thank you for contacting me. As of August 24, 2018 I am no longer with API.

Starting September 10, 2018, I will be a Principal at The Vogel Group and can be reached at Brian@VogelGroupDC.com.

For API matters, please contact the main number at 202-682-8000 and someone will be able to assist you.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Jack Gerard
Sent: 2018-09-07T09:08:40-04:00
Importance: Normal
Subject: Automatic reply: They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale
Received: 2018-09-07T09:08:53-04:00

Effective September 1, 2018, Jack Gerard, former President and CEO of the American Petroleum Institute (API), has retired from the organization.

You may reach the current President and CEO, Mike Sommers at sommersm@api.org or contact his Executive Assistant, Susan Tackish at tackishs@api.org for immediate assistance.

Thank you and have a good day.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Jack Gerard
Sent: 2018-09-07T09:08:40-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale
Received: 2018-09-07T09:09:08-04:00

Effective September 1, 2018, Jack Gerard, former President and CEO of the American Petroleum Institute (API), has retired from the organization.

You may reach the current President and CEO, Mike Sommers at sommersm@api.org or contact his Executive Assistant, Susan Tackish at tackishs@api.org for immediate assistance.

Thank you and have a good day.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Hilary Moffett
Sent: 2018-09-07T09:08:43-04:00
Importance: Normal
Subject: Automatic reply: They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale
Received: 2018-09-07T09:08:54-04:00

I am no longer with API, if you need assistance, please contact Carrie Domnitch (DomnitchC@api.org) or Cathleen Kennedy (KennedyC@api.org).

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Hilary Moffett
Sent: 2018-09-07T09:08:43-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: They Said It Couldn't Be Done: Trump Admin Dominates with Billion-dollar Oil and Gas Sale
Received: 2018-09-07T09:09:07-04:00

I am no longer with API, if you need assistance, please contact Carrie Domnitch (DomnitchC@api.org) or Cathleen Kennedy (KennedyC@api.org).

To: Casey Hammond[casey_hammond@ios.doi.gov]
From: Tripp Parks
Sent: 2018-09-07T13:52:21-04:00
Importance: Normal
Subject: RE: [EXTERNAL] Meeting Next Week?
Received: 2018-09-07T13:53:39-04:00

I put the photos from your time at the podium here: https://photos.app.goo.gl/sdvVHzrYDtf96sPh9.

Let me know if that link doesn't work. Happy to share photos from the rest of the meeting if you'd like.

From: Casey Hammond <casey_hammond@ios.doi.gov>
Sent: Wednesday, September 5, 2018 11:34 AM
To: Tripp Parks <tparks@westernenergyalliance.org>
Subject: Re: [EXTERNAL] Meeting Next Week?

A google share, something like that

Casey Hammond
Deputy Assistant Secretary
Land and Minerals Management
Department of the Interior
On Sep 5, 2018, at 12:09 PM, Tripp Parks <tparks@westernenergyalliance.org> wrote:

> Excellent. Amanda, we're happy to meet at the most convenient time for Casey.
>
> We've got plenty of photos – what's the best way to share them?
>
> ---
>
> **From:** Casey Hammond <casey_hammond@ios.doi.gov>
> **Sent:** Wednesday, September 5, 2018 10:57 AM
> **To:** Tripp Parks <tparks@westernenergyalliance.org>
> **Cc:** adlong@blm.gov
> **Subject:** Re: [EXTERNAL] Meeting Next Week?
>
> Sure. That day has a lot of flexibility right now. Amanda is cc'd and can help with that.
>
> Also, do you have the pictures from the CO meeting?
>
> Casey Hammond
> Deputy Assistant Secretary
> Land and Minerals Management
> Department of the Interior
> On Sep 5, 2018, at 11:41 AM, Tripp Parks <tparks@westernenergyalliance.org> wrote:
>
> > Casey,
> >
> > Great seeing you out here in Colorado last month. I'm bringing a small group of Alliance members to DC next week, and wondering if you have

any time to meet with us on Wednesday the 12th? We're setting up a couple meetings at Interior that day and are completely flexible on timing. Let me know if that works!

Tripp Parks
Manager of Government Affairs
Western Energy Alliance
[redacted] (b)(6)

To: Tripp Parks[tparks@westernenergyalliance.org]
From: Hammond, Casey
Sent: 2018-09-07T16:20:55-04:00
Importance: Normal
Subject: Re: [EXTERNAL] Meeting Next Week?
Received: 2018-09-07T16:21:12-04:00

Wow. I'm really fat.

Thank you,

Casey Hammond
Deputy Assistant Secretary for
Land and Minerals Management
Department of the Interior

On Fri, Sep 7, 2018 at 1:53 PM Tripp Parks <tparks@westernenergyalliance.org> wrote:

I put the photos from your time at the podium here: https://photos.app.goo.gl/sdvVHzrYDtf96sPh9.

Let me know if that link doesn't work. Happy to share photos from the rest of the meeting if you'd like.

From: Casey Hammond <casey_hammond@ios.doi.gov>
Sent: Wednesday, September 5, 2018 11:34 AM
To: Tripp Parks <tparks@westernenergyalliance.org>
Subject: Re: [EXTERNAL] Meeting Next Week?

A google share, something like that

Casey Hammond

Deputy Assistant Secretary

Land and Minerals Management

Department of the Interior

On Sep 5, 2018, at 12:09 PM, Tripp Parks <tparks@westernenergyalliance.org> wrote:

Excellent. Amanda, we're happy to meet at the most convenient time for Casey.

We've got plenty of photos – what's the best way to share them?

From: Casey Hammond <casey_hammond@ios.doi.gov>
Sent: Wednesday, September 5, 2018 10:57 AM
To: Tripp Parks <tparks@westernenergyalliance.org>
Cc: adlong@blm.gov
Subject: Re: [EXTERNAL] Meeting Next Week?

Sure. That day has a lot of flexibility right now. Amanda is cc'd and can help with that.

Also, do you have the pictures from the CO meeting?

Casey Hammond

Deputy Assistant Secretary

Land and Minerals Management

Department of the Interior

On Sep 5, 2018, at 11:41 AM, Tripp Parks <tparks@westernenergyalliance.org> wrote:

Casey,

Great seeing you out here in Colorado last month. I'm bringing a small group of Alliance members to DC next week, and wondering if you have any time to meet with us on Wednesday the 12th? We're setting up a couple meetings at Interior that day and are completely flexible on timing. Let me know if that works!

Tripp Parks

Manager of Government Affairs

Western Energy Alliance

(b)(6)

To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]
From: Montana Petroleum Association
Sent: 2018-09-26T16:55:29-04:00
Importance: Normal
Subject: [EXTERNAL] At last, victory for MPA leaseholder
Received: 2018-09-26T16:56:10-04:00

At last, victory for MPA leaseholder

Email not displaying correctly? Click here to view it in your browser.

September 26th, 2018

The Montana Petroleum Report provides information of interest to Montanans. We encourage you to forward this e-letter to your friends. — Alan Olson, Executive Director
www.montanapetroleum.org

A long awaited victory for MPA member, Solenex
By Jessica Sena
Montana Petroleum Association
Contact: (406) 590-8675

As first reported in the **Fairfield Sun Times**, U.S. District Court Judge Richard J. Leon reinstated leases held by Solenex LLC and Moncrief, which had been unilaterally cancelled by former Secretary of the Interior Sally Jewell.

"This is not just a victory for Solenex or Moncrief, but for the whole industry," said Alan Olson, executive director of the Montana Petroleum Association. "This decision sends the message that certainty in the permitting process is being restored."

The Montana Petroleum Association (MPA) has been for advocating for MPA member, Solenex since 2014.

MPA was among the parties that participated in meetings with the Blackfeet Tribe and Solenex under the Section 106 process of the National Historic Preservation Act. The meetings, meant to facilitate a compromise between parties, were terminated at the request of the Blackfeet Tribe.

Later, following the termination of leases by the Interior and the subsequent legal challenge filed by Mountain States Legal Foundation on behalf of Solenex, MPA and the U.S. Chamber of Commerce - Global Energy Institute, filed amicus briefs in support of the leaseholders.

"By enforcing the terms of this lease, the Court will help restore certainty in federal contracts, and it will send the message that federal agencies cannot unilaterally and unreasonably lock up multiple-use federal lands in derogation of their duties under federal law."

Montana Petroleum Association, court brief

Just last month, MPA hosted William Perry Pendley, president of Mountain States Legal Foundation, as a speaker at the Association's annual meeting. Pendley recounted the unprecedented actions by the federal government in a decades-long delay of the Solenex lease, held by Mr. Sidney Longwell.

Following the decision by Judge Leon to reinstate the leases, Pendley told MPA, "We are thrilled for Mr. Longwell that his long nightmare is nearing its end. As I told your members in Billings, there could not be a more important case for the oil patch than this one and we are delighted with the victory and thankful to Mr. Longwell for his courageous fight. We have a long way to go, however. Judge Leon concluded that this case will go all the way to the Supreme Court of the United States and it is clear—from the strange position taken by the Trump administration—that it is headed there."

Background

On January 11th, 2017 - in the eleventh hour of the Obama Administration, Interior Secretary Sally Jewell announced the cancellation of oil and gas leases in the Badger Two Medicine area near the Blackfeet Reservation and Glacier National Park. Jewell claimed the leases should never have been issued in the first place. While the Blackfeet Tribe, environmental groups, and others praised the announcement, many in the oil and gas industry were dismayed that the government would breach legally binding lease contracts in the name of "special places."

Longtime leaseholder Solenex LLC, was the first to challenge the cancellation order in court, later followed by Texas oilman W.A. Moncrief. Solenex has been actively pursuing development of a lease for more than three decades, represented by Mountain States Legal Foundation (MSLF) a nonprofit, public interest legal foundation.

History *(abbreviated)*

In 1993, development was suspended by the Secretary of the Interior to provide Congress an opportunity to consider legislation to protect natural resources within the Badger-Two Medicine area. That suspension was extended in 1996 to provide Congress additional time to decide whether or not the area should be designated as a Wilderness Study Area. *No such designation has since been made.*

In 2002 the Keeper of the National Register of Historic Places determined that the traditional cultural district (Badger Two Medicine) was eligible for listing on the National Register of Historic Places. The Solenex lease area was located roughly two miles north of the district boundary at that time.

In October, 2003, the Forest Service announced that even though the lease site was somewhat removed from the boundaries of the defined traditional cultural district, a study would be required to ascertain whether drilling activity would affect the qualities that contribute to the significance of the cultural district; essentially, conducting studies to determine whether or not the lease site was an "Area of Potential Effect" on the Badger Two Medicine area. *That study concluded that drilling on the site* ***would not*** *affect the area.*

It was not until 2010, following the fourth ethnographic study of the area, that the boundary lines of the cultural district were extended by more than 75,000 acres to include the Solenex lease, which represents an impact of approximately .014% within the cultural district.

Applicable Case Law

In a 1988 case, Lyng v. Northwest Indian Cemetery Protective Association, The U.S. Forest Service attempted to complete a logging road through the Six Rivers National Forest in northwestern California, despite the religious use of the area by three Indian tribes. Ultimately the Supreme Court ruled in favor against the tribes. Following the decision, the Supreme Court stated, *"however much we might wish that it were otherwise, government simply could **not** operate if it were required to satisfy every citizen's religious needs and desires."*

By ruling in favor of development, the Court avoided a situation in which tribes could guarantee the nonuse of significant portions of government land. The Court, reportedly, realized that the veto power requested by the tribes "could easily require de facto beneficial ownership of some rather spacious tracts of public property," and it acted to prevent such an occurrence.

Related News

Drilling leases reinstated in Badger-Two Medicine, Sept. 2018

Disputed Montana oil lease to be heard in D.C. district court, March 2018

Government cancels Badger-Two Medicine oil/natural gas lease, March 2016

MONTANA PETROLEUM ASSOCIATION STANDS BEHIND SOLONEX CASE, Nov. 2016

Feds go back on their word, Oct. 2016

Tribal Representative Refuses To Budge In Mitigation Process

####

The Montana Petroleum Association is a non-profit trade association representing the nearly two hundred businesses which work to facilitate energy production in Montana. These include integrated and independent producers; lease operators; service providers; pipeline companies; refineries; as well as professional entities providing legal, financial, and additional regulatory support to the oil and natural gas industry.

Our mailing address is:
Montana Petroleum Association, Inc
PO Box 1186
Helena, MT 59624

To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]
From: Montana Petroleum Association
Sent: 2018-09-26T16:55:29-04:00
Importance: Normal
Subject: At last, victory for MPA leaseholder
Received: 2018-09-26T16:55:38-04:00

At last, victory for MPA leaseholder

Email not displaying correctly? Click here to view it in your browser.

September 26th, 2018

The Montana Petroleum Report provides information of interest to Montanans. We encourage you to forward this e-letter to your friends. — Alan Olson, Executive Director
www.montanapetroleum.org

A long awaited victory for MPA member, Solenex
By Jessica Sena
Montana Petroleum Association
Contact: (406) 590-8675

As first reported in the **Fairfield Sun Times**, U.S. District Court Judge Richard J. Leon reinstated leases held by Solenex LLC and Moncrief, which had been unilaterally cancelled by former Secretary of the Interior Sally Jewell.

"This is not just a victory for Solenex or Moncrief, but for the whole industry," said Alan Olson, executive director of the Montana Petroleum Association. "This decision sends the message that certainty in the permitting process is being restored."

The Montana Petroleum Association (MPA) has been for advocating for MPA member, Solenex since 2014.

MPA was among the parties that participated in meetings with the Blackfeet Tribe and Solenex under the Section 106 process of the National Historic Preservation Act. The meetings, meant to facilitate a compromise between parties, were terminated at the request of the Blackfeet Tribe.

Later, following the termination of leases by the Interior and the subsequent legal challenge filed by Mountain States Legal Foundation on behalf of Solenex, MPA and the U.S. Chamber of Commerce - Global Energy Institute, filed amicus briefs in support of the leaseholders.

"By enforcing the terms of this lease, the Court will help restore certainty in federal contracts, and it will send the message that federal agencies cannot unilaterally and unreasonably lock up multiple-use federal lands in derogation of their duties under federal law."

Montana Petroleum Association, court brief

Just last month, MPA hosted William Perry Pendley, president of Mountain States Legal Foundation, as a speaker at the Association's annual meeting. Pendley recounted the unprecedented actions by the federal government in a decades-long delay of the Solenex lease, held by Mr. Sidney Longwell.

Following the decision by Judge Leon to reinstate the leases, Pendley told MPA, "We are thrilled for Mr. Longwell that his long nightmare is nearing its end. As I told your members in Billings, there could not be a more important case for the oil patch than this one and we are delighted with the victory and thankful to Mr. Longwell for his courageous fight. We have a long way to go, however. Judge Leon concluded that this case will go all the way to the Supreme Court of the United States and it is clear—from the strange position taken by the Trump administration—that it is headed there."

Background

On January 11th, 2017 - in the eleventh hour of the Obama Administration, Interior Secretary Sally Jewell announced the cancellation of oil and gas leases in the Badger Two Medicine area near the Blackfeet Reservation and Glacier National Park. Jewell claimed the leases should never have been issued in the first place. While the Blackfeet Tribe, environmental groups, and others praised the announcement, many in the oil and gas industry were dismayed that the government would breach legally binding lease contracts in the name of "special places."

Longtime leaseholder Solenex LLC, was the first to challenge the cancellation order in court, later followed by Texas oilman W.A. Moncrief. Solenex has been actively pursuing development of a lease for more than three decades, represented by Mountain States Legal Foundation (MSLF) a nonprofit, public interest legal foundation.

History *(abbreviated)*

In 1993, development was suspended by the Secretary of the Interior to provide Congress an opportunity to consider legislation to protect natural resources within the Badger-Two Medicine area. That suspension was extended in 1996 to provide Congress additional time to decide whether or not the area should be designated as a Wilderness Study Area. *No such designation has since been made.*

In 2002 the Keeper of the National Register of Historic Places determined that the traditional cultural district (Badger Two Medicine) was eligible for listing on the National Register of Historic Places. The Solenex lease area was located roughly two miles north of the district boundary at that time.

In October, 2003, the Forest Service announced that even though the lease site was somewhat removed from the boundaries of the defined traditional cultural district, a study would be required to ascertain whether drilling activity would affect the qualities that contribute to the significance of the cultural district; essentially, conducting studies to determine whether or not the lease site was an "Area of Potential Effect" on the Badger Two Medicine area. *That study concluded that drilling on the site* ***would not*** *affect the area.*

It was not until 2010, following the fourth ethnographic study of the area, that the boundary lines of the cultural district were extended by more than 75,000 acres to include the Solenex lease, which represents an impact of approximately .014% within the cultural district.

Applicable Case Law

In a 1988 case, Lyng v. Northwest Indian Cemetery Protective Association, The U.S. Forest Service attempted to complete a logging road through the Six Rivers National Forest in northwestern California, despite the religious use of the area by three Indian tribes. Ultimately the Supreme Court ruled in favor against the tribes. Following the decision, the Supreme Court stated, *"however much we might wish that it were otherwise, government simply could **not** operate if it were required to satisfy every citizen's religious needs and desires."*

By ruling in favor of development, the Court avoided a situation in which tribes could guarantee the nonuse of significant portions of government land. The Court, reportedly, realized that the veto power requested by the tribes "could easily require de facto beneficial ownership of some rather spacious tracts of public property," and it acted to prevent such an occurrence.

Related News

Drilling leases reinstated in Badger-Two Medicine, Sept. 2018

Disputed Montana oil lease to be heard in D.C. district court, March 2018

Government cancels Badger-Two Medicine oil/natural gas lease, March 2016

MONTANA PETROLEUM ASSOCIATION STANDS BEHIND SOLONEX CASE, Nov. 2016

Feds go back on their word, Oct. 2016

Tribal Representative Refuses To Budge In Mitigation Process

####

The Montana Petroleum Association is a non-profit trade association representing the nearly two hundred businesses which work to facilitate energy production in Montana. These include integrated and independent producers; lease operators; service providers; pipeline companies; refineries; as well as professional entities providing legal, financial, and additional regulatory support to the oil and natural gas industry.

Our mailing address is:
Montana Petroleum Association, Inc
PO Box 1186
Helena, MT 59624

To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]
From: Montana Petroleum Association
Sent: 2018-09-28T15:51:01-04:00
Importance: Normal
Subject: [EXTERNAL] Montana Petroleum Association supports new rules on hydraulic fracturing
Received: 2018-09-28T15:52:08-04:00

MPA supports new rules on hydraulic fracturing

Email not displaying correctly? Click here to view it in your browser.

September 29th, 2018

The Montana Petroleum Report provides information of interest to Montanans. We encourage you to forward this e-letter to your friends. — Alan Olson, Executive Director
www.montanapetroleum.org

MPA supports proposed rules on hydraulic fracturing
Contact: Jessica Sena, (406) 590-8675
Montana Petroleum Association

On Monday, September 17th, the Board of Oil and Gas Conservation (BOGC) held a hearing on proposed rules meant to comply with new statute (SB 299), which requires disclosure of chemical additives used in hydraulic fracturing.

All but one who testified identified themselves as proponents of the draft rules.

In 2017, following both legal and legislative attempts by Northern Plains Resource Council (NPRC) and Earthjustice to strengthen disclosure requirements, the Montana Petroleum Association (MPA) supported legislation (SB 299) which mirrored Wyoming regulation. NPRC and others had lauded Wyoming's disclosure requirements as preferable to rules already in place in Montana.

Back in 2011, Montana became one of the first states to administratively adopt rules requiring the disclosure of chemical additives used in frac fluid. The rules, promulgated by the BOGC, required that generic information and estimated quantities be submitted to the Board prior to fracturing activities, and that specific information be reported once stimulation (fracturing) operations were complete. The rules allowed companies to safeguard proprietary additives (trade secrets) from public disclosure.

Owners of trade secrets have long fought to protect proprietary information that confers a competitive advantage over other companies. In 2016, Congress passed the Defend Trade Secrets Act, which allows an owner of a trade secret to sue in federal court when trade secrets have been misappropriated.

SB 299 (2017) passed both the House and Senate overwhelmingly; 65 to 35 in the House and 34 to 16 in the Senate. The new law requires that companies disclose chemical compound names and the chemical abstracts service (CAS) registry number of ingredients, including any hazardous component listed on a material safety data sheet, as well as the product name and the type of additives used. Additionally, disclosure must include the proposed rate or concentration for each ingredient or additive.

The new law increased the burden of proof for protecting trade secrets from public disclosure by requiring operators to comply with new requirements.

(2) To meet the requirement of subsection (1), the owner, operator, or service company shall provide the administrator with information demonstrating all of the following:

(a) that the ingredient identity, concentrations, or both, as appropriate, have not appeared in a public source or been publicly disclosed:

(i) pursuant to a federal or state law or regulation;

(ii) in a professional trade publication; or

(iii) through any other media or publication available to the public or competing oil and gas owners, operators, or service companies;

(b) to what extent the identity of the ingredient, its concentrations, or both, as appropriate, are known within a company and how the information is housed in the company and what steps employees, officers, agents, and directors take to prevent disclosure of the information;

(c) whether any other federal or state entity has determined that the ingredient identity, concentrations, or both, as appropriate, are not entitled to protection from public disclosure. A copy of the regulatory entity's determination, along with any explanation as to why the administrator should not make a similar determination, must be provided. Any information concerning prior requests for confidentiality that an owner, operator, or service company determines to be relevant also must be provided to the administrator;

(d) how the identity of the ingredient, its concentrations, or both, as appropriate, are commercially valuable to the owner, operator, or service company. A description of why the use of the ingredient, its concentrations, or both, as appropriate, is not common knowledge in the industry, including any novel or unusual aspects about the ingredient, must be provided.

(e) the ease or difficulty with which the complete composition of the fracturing fluid, including the ingredient identity, concentrations, or both, as appropriate, could be determined because of public disclosure. The information must explain why a systems approach format would not adequately protect a proprietary interest.

Finally, SB 299 required the BOGC to amend the 2011 rules to bring them into compliance with new Montana law.

Alan Olson, MPA executive director, testified in favor of Board's proposed rules. In written comments submitted to the Board after the hearing, MPA explained that, "existing statutes and administrative rules are both anticipatory and preventative in protecting both the surface and subsurface environment." MPA cited existing rules on well construction and

integrity testing, and highlighted Montana's more than 60-year history of hydraulic fracturing without a single case of groundwater contamination as a result of HF operations.

Others testifying at Monday's hearing, primarily NPRC members, identified as proponents but said the rules didn't go far enough, requesting a 45-day notice requirement to landowners ahead of completion (fracturing) operations so that landowners have enough time to complete baseline water testing.

MPA addressed the request in their written comments to the Board.

"We do not support a 45 day pre-frac notice for baseline water testing, as sufficient time already exists to draw a water sample to get an appropriate water analysis prior to stimulation activities. We see no need to test for fracture stimulation chemicals prior to stimulation, as a standard baseline test is sufficient."

Comments reported in the Billings Gazette by Board Administrator, Jim Halvorson explain that disclosure information on hydraulic fracturing is generally reported more than a month ahead of time. In the same article, Halvorson is cited as stating that fracturing fluids "haven't been the common source of contamination at drilling sites".

The Board took written comments until Monday, September 24th and is expected to finalize rules at their October 3rd Board meeting.

####

MCA 82-10-603 Fracturing Fluid Disclosure
82-10-604 Confidentiality request for trade secrets

The Montana Petroleum Association is a non-profit trade association representing the nearly two hundred businesses which work to facilitate energy production in Montana. These include integrated and independent producers; lease operators; service providers; pipeline companies; refineries; as well as professional entities providing legal, financial, and additional regulatory support to the oil and natural gas industry.

Our mailing address is:
Montana Petroleum Association, Inc
PO Box 1186
Helena, MT 59624

To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]
From: Montana Petroleum Association
Sent: 2018-09-28T15:51:01-04:00
Importance: Normal
Subject: Montana Petroleum Association supports new rules on hydraulic fracturing
Received: 2018-09-28T15:51:28-04:00

MPA supports new rules on hydraulic fracturing

Email not displaying correctly? Click here to view it in your browser.

September 29th, 2018

The Montana Petroleum Report provides information of interest to Montanans. We encourage you to forward this e-letter to your friends. — Alan Olson, Executive Director
www.montanapetroleum.org

MPA supports proposed rules on hydraulic fracturing
Contact: Jessica Sena, (406) 590-8675
Montana Petroleum Association

On Monday, September 17th, the Board of Oil and Gas Conservation (BOGC) held a hearing on proposed rules meant to comply with new statute (SB 299), which requires disclosure of chemical additives used in hydraulic fracturing.

All but one who testified identified themselves as proponents of the draft rules.

In 2017, following both legal and legislative attempts by Northern Plains Resource Council (NPRC) and Earthjustice to strengthen disclosure requirements, the Montana Petroleum Association (MPA) supported legislation (SB 299) which mirrored Wyoming regulation. NPRC and others had lauded Wyoming's disclosure requirements as preferable to rules already in place in Montana.

Back in 2011, Montana became one of the first states to administratively adopt rules requiring the disclosure of chemical additives used in frac fluid. The rules, promulgated by the BOGC, required that generic information and estimated quantities be submitted to the Board prior to fracturing activities, and that specific information be reported once stimulation (fracturing) operations were complete. The rules allowed companies to safeguard proprietary additives (trade secrets) from public disclosure.

Owners of trade secrets have long fought to protect proprietary information that confers a competitive advantage over other companies. In 2016, Congress passed the Defend Trade Secrets Act, which allows an owner of a trade secret to sue in federal court when trade secrets have been misappropriated.

SB 299 (2017) passed both the House and Senate overwhelmingly; 65 to 35 in the House and 34 to 16 in the Senate. The new law requires that companies disclose chemical compound names and the chemical abstracts service (CAS) registry number of ingredients, including any hazardous component listed on a material safety data sheet, as well as the product name and the type of additives used. Additionally, disclosure must include the proposed rate or concentration for each ingredient or additive.

The new law increased the burden of proof for protecting trade secrets from public disclosure by requiring operators to comply with new requirements.

(2) To meet the requirement of subsection (1), the owner, operator, or service company shall provide the administrator with information demonstrating all of the following:

(a) that the ingredient identity, concentrations, or both, as appropriate, have not appeared in a public source or been publicly disclosed:

(i) pursuant to a federal or state law or regulation;

(ii) in a professional trade publication; or

(iii) through any other media or publication available to the public or competing oil and gas owners, operators, or service companies;

(b) to what extent the identity of the ingredient, its concentrations, or both, as appropriate, are known within a company and how the information is housed in the company and what steps employees, officers, agents, and directors take to prevent disclosure of the information;

(c) whether any other federal or state entity has determined that the ingredient identity, concentrations, or both, as appropriate, are not entitled to protection from public disclosure. A copy of the regulatory entity's determination, along with any explanation as to why the administrator should not make a similar determination, must be provided. Any information concerning prior requests for confidentiality that an owner, operator, or service company determines to be relevant also must be provided to the administrator;

(d) how the identity of the ingredient, its concentrations, or both, as appropriate, are commercially valuable to the owner, operator, or service company. A description of why the use of the ingredient, its concentrations, or both, as appropriate, is not common knowledge in the industry, including any novel or unusual aspects about the ingredient, must be provided.

(e) the ease or difficulty with which the complete composition of the fracturing fluid, including the ingredient identity, concentrations, or both, as appropriate, could be determined because of public disclosure. The information must explain why a systems approach format would not adequately protect a proprietary interest.

Finally, SB 299 required the BOGC to amend the 2011 rules to bring them into compliance with new Montana law.

Alan Olson, MPA executive director, testified in favor of Board's proposed rules. In written comments submitted to the Board after the hearing, MPA explained that, "existing statutes and administrative rules are both anticipatory and preventative in protecting both the surface and subsurface environment." MPA cited existing rules on well construction and

integrity testing, and highlighted Montana's more than 60-year history of hydraulic fracturing without a single case of groundwater contamination as a result of HF operations.

Others testifying at Monday's hearing, primarily NPRC members, identified as proponents but said the rules didn't go far enough, requesting a 45-day notice requirement to landowners ahead of completion (fracturing) operations so that landowners have enough time to complete baseline water testing.

MPA addressed the request in their written comments to the Board.

"We do not support a 45 day pre-frac notice for baseline water testing, as sufficient time already exists to draw a water sample to get an appropriate water analysis prior to stimulation activities. We see no need to test for fracture stimulation chemicals prior to stimulation, as a standard baseline test is sufficient."

Comments reported in the Billings Gazette by Board Administrator, Jim Halvorson explain that disclosure information on hydraulic fracturing is generally reported more than a month ahead of time. In the same article, Halvorson is cited as stating that fracturing fluids "haven't been the common source of contamination at drilling sites".

The Board took written comments until Monday, September 24th and is expected to finalize rules at their October 3rd Board meeting.

####

MCA 82-10-603 Fracturing Fluid Disclosure
82-10-604 Confidentiality request for trade secrets

The Montana Petroleum Association is a non-profit trade association representing the nearly two hundred businesses which work to facilitate energy production in Montana. These include integrated and independent producers; lease operators; service providers; pipeline companies; refineries; as well as professional entities providing legal, financial, and additional regulatory support to the oil and natural gas industry.

Our mailing address is:
Montana Petroleum Association, Inc
PO Box 1186
Helena, MT 59624

To: Jim Cason[James_cason@ios.doi.gov]
From: Rachel McNerney
Sent: 2018-10-02T16:32:40-04:00
Importance: Normal
Subject: Want to have a blast next Thursday? Join us for COGAlympics
Received: 2018-10-02T16:32:44-04:00

To: Jim Cason[James_cason@ios.doi.gov]
From: Rachel McNerney
Sent: 2018-10-02T16:32:40-04:00
Importance: Normal
Subject: [EXTERNAL] Want to have a blast next Thursday? Join us for COGAlympics
Received: 2018-10-02T16:32:57-04:00

To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]
From: Montana Petroleum Association
Sent: 2018-10-09T12:58:56-04:00
Importance: Normal
Subject: 10 years and counting: Time to Build
Received: 2018-10-09T12:59:10-04:00

Time to Build the Keystone XL Pipeline

Email not displaying correctly? Click here to view it in your browser.

October 9th, 2018

The Montana Petroleum Report provides information of interest to Montanans. We encourage you to forward this e-letter to your friends. — Alan Olson, Executive Director
www.montanapetroleum.org

For Immediate Release
Time to Build the Keystone XL Pipeline
Contact: Jessica Sena, (406) 590-8675
Montana Petroleum Association

TransCanada's Keystone XL has served as the poster child for needlessly delayed projects. But after more than a decade, the pipeline is finally becoming a reality for the member-company of the Montana Petroleum Association. Trucks have begun hauling pipe through northeastern Montana in preparation of construction to begin next year.

"This project has passed every environmental assessment over the last decade with flying colors," said Alan Olson, executive director of the Montana Petroleum Association. "It's time to build the Keystone XL pipeline!"

The 36-inch-diameter crude oil pipeline will transport up to 870,000 barrels of crude oil per day from Hardisty, Alberta to Steele City, Nebraska and contribute $3.4 billion to the national GDP.

Montana's Department of Environmental Quality (DEQ) first received an application for a Certificate of Compliance under the Major Facility Siting Act to construct and operate the Montana leg of the 1,180 mile pipeline back in December of 2008. The DEQ issued the Certificate of Compliance on March 30, 2012, and Montana's Land Board voted unanimously

to grant right-of-ways to TransCanada the same year. The project has earned widespread support in Montana from landowners, county commissioners, Governor Bullock, and the state's congressional delegation.

TransCanada is expected to become one of the largest, if not *the* largest, taxpayers in the state of Montana. Nearly three hundred miles of Keystone XL would traverse the state, crossing through Phillips, Valley, McCone, Dawson and Fallon counties. The project will create thousands of jobs and provide millions in Montana wages. Keystone XL will also include a bypass in Fallon County known as the Bakken Marketlink, which will transport up to 100,000 barrels a day of crude oil from the Williston Basin. The Bakken Marketlink will help alleviate the bottleneck of oil, a result of production outpacing pipeline construction, and will produce additional jobs and tax revenue for Montana.

Keystone XL will utilize the latest and safest monitoring technologies, including pressure and temperature sensors and automatic shutoff valves. At the Missouri River, the pipeline will be buried 40-60 feet below the riverbed. A TransCanada spokesman said the company has agreed to use of flexible, high-strength carbon steel near waterways that can withstand the impact of a 65-ton excavator. The steel is also designed with special features to reduce corrosion.

Before any crude moves through the pipeline, it will be hydrotested to ensure mechanical integrity. Once complete, the pipeline will be monitored 24/7 from a central control station capable of responding within seconds to any pipeline abnormality.

The Keystone XL pipeline has undergone extensive environmental review under both the Obama and Trump Administrations. Every one of the evaluations has shown that Keystone XL can be built safely and with minimal impact to the environment. Still, the project has been the subject of lawsuits and environmental protests which some worry may escalate once construction begins.

"We cannot afford in Montana what we saw happen across the border at the Dakota Access Pipeline protest," said Olson. "Besides endangering local communities, protesters did millions of dollars worth of damage and left the State to clean up after them."

Costs associated with the DAPL protest rose to more than $38 million dollars.

Public officials in eastern Montana have begun preparing for any kind of situation that may occur during construction. Earlier this year, law enforcement in Richland County went through Federal Emergency Management Agency (FEMA) training focused on effectively responding to citizens and protesters.

If there's anything the DAPL protest demonstrated, it is the power of social media in spreading misinformation, placing a greater onus on companies to communicate openly and often to provide factual information.

At the annual meeting of the Montana Petroleum Association in August, Don "DT" Greenwood, Senior Security Advisor for TransCanada, explained that the company has been actively engaged with local officials and the public, and says the company will have a robust public relations effort.

####

The Montana Petroleum Association is a non-profit trade association representing the nearly two hundred businesses which work to facilitate energy production in Montana. These include integrated and independent producers; lease operators; service providers; pipeline

companies; refineries; as well as professional entities providing legal, financial, and additional regulatory support to the oil and natural gas industry.

Our mailing address is:
Montana Petroleum Association, Inc
PO Box 1186
Helena, MT 59624

.

To: timothy_williams@ios.doi.gov[timothy_williams@ios.doi.gov]
From: Montana Petroleum Association
Sent: 2018-10-09T12:58:56-04:00
Importance: Normal
Subject: [EXTERNAL] 10 years and counting: Time to Build
Received: 2018-10-09T12:59:41-04:00

Time to Build the Keystone XL Pipeline

Email not displaying correctly? Click here to view it in your browser.

October 9th, 2018

The Montana Petroleum Report provides information of interest to Montanans. We encourage you to forward this e-letter to your friends. — Alan Olson, Executive Director
www.montanapetroleum.org

For Immediate Release
Time to Build the Keystone XL Pipeline
Contact: Jessica Sena, (406) 590-8675
Montana Petroleum Association

TransCanada's Keystone XL has served as the poster child for needlessly delayed projects. But after more than a decade, the pipeline is finally becoming a reality for the member-company of the Montana Petroleum Association. Trucks have begun hauling pipe through northeastern Montana in preparation of construction to begin next year.

"This project has passed every environmental assessment over the last decade with flying colors," said Alan Olson, executive director of the Montana Petroleum Association. "It's time to build the Keystone XL pipeline!"

The 36-inch-diameter crude oil pipeline will transport up to 870,000 barrels of crude oil per day from Hardisty, Alberta to Steele City, Nebraska and contribute $3.4 billion to the national GDP.

Montana's Department of Environmental Quality (DEQ) first received an application for a Certificate of Compliance under the Major Facility Siting Act to construct and operate the Montana leg of the 1,180 mile pipeline back in December of 2008. The DEQ issued the Certificate of Compliance on March 30, 2012, and Montana's Land Board voted unanimously

to grant right-of-ways to TransCanada the same year. The project has earned widespread support in Montana from landowners, county commissioners, Governor Bullock, and the state's congressional delegation.

TransCanada is expected to become one of the largest, if not *the* largest, taxpayers in the state of Montana. Nearly three hundred miles of Keystone XL would traverse the state, crossing through Phillips, Valley, McCone, Dawson and Fallon counties. The project will create thousands of jobs and provide millions in Montana wages. Keystone XL will also include a bypass in Fallon County known as the Bakken Marketlink, which will transport up to 100,000 barrels a day of crude oil from the Williston Basin. The Bakken Marketlink will help alleviate the bottleneck of oil, a result of production outpacing pipeline construction, and will produce additional jobs and tax revenue for Montana.

Keystone XL will utilize the latest and safest monitoring technologies, including pressure and temperature sensors and automatic shutoff valves. At the Missouri River, the pipeline will be buried 40-60 feet below the riverbed. A TransCanada spokesman said the company has agreed to use of flexible, high-strength carbon steel near waterways that can withstand the impact of a 65-ton excavator. The steel is also designed with special features to reduce corrosion.

Before any crude moves through the pipeline, it will be hydrotested to ensure mechanical integrity. Once complete, the pipeline will be monitored 24/7 from a central control station capable of responding within seconds to any pipeline abnormality.

The Keystone XL pipeline has undergone extensive environmental review under both the Obama and Trump Administrations. Every one of the evaluations has shown that Keystone XL can be built safely and with minimal impact to the environment. Still, the project has been the subject of lawsuits and environmental protests which some worry may escalate once construction begins.

"We cannot afford in Montana what we saw happen across the border at the Dakota Access Pipeline protest," said Olson. "Besides endangering local communities, protesters did millions of dollars worth of damage and left the State to clean up after them."

Costs associated with the DAPL protest rose to more than $38 million dollars.

Public officials in eastern Montana have begun preparing for any kind of situation that may occur during construction. Earlier this year, law enforcement in Richland County went through Federal Emergency Management Agency (FEMA) training focused on effectively responding to citizens and protesters.

If there's anything the DAPL protest demonstrated, it is the power of social media in spreading misinformation, placing a greater onus on companies to communicate openly and often to provide factual information.

At the annual meeting of the Montana Petroleum Association in August, Don "DT" Greenwood, Senior Security Advisor for TransCanada, explained that the company has been actively engaged with local officials and the public, and says the company will have a robust public relations effort.

####

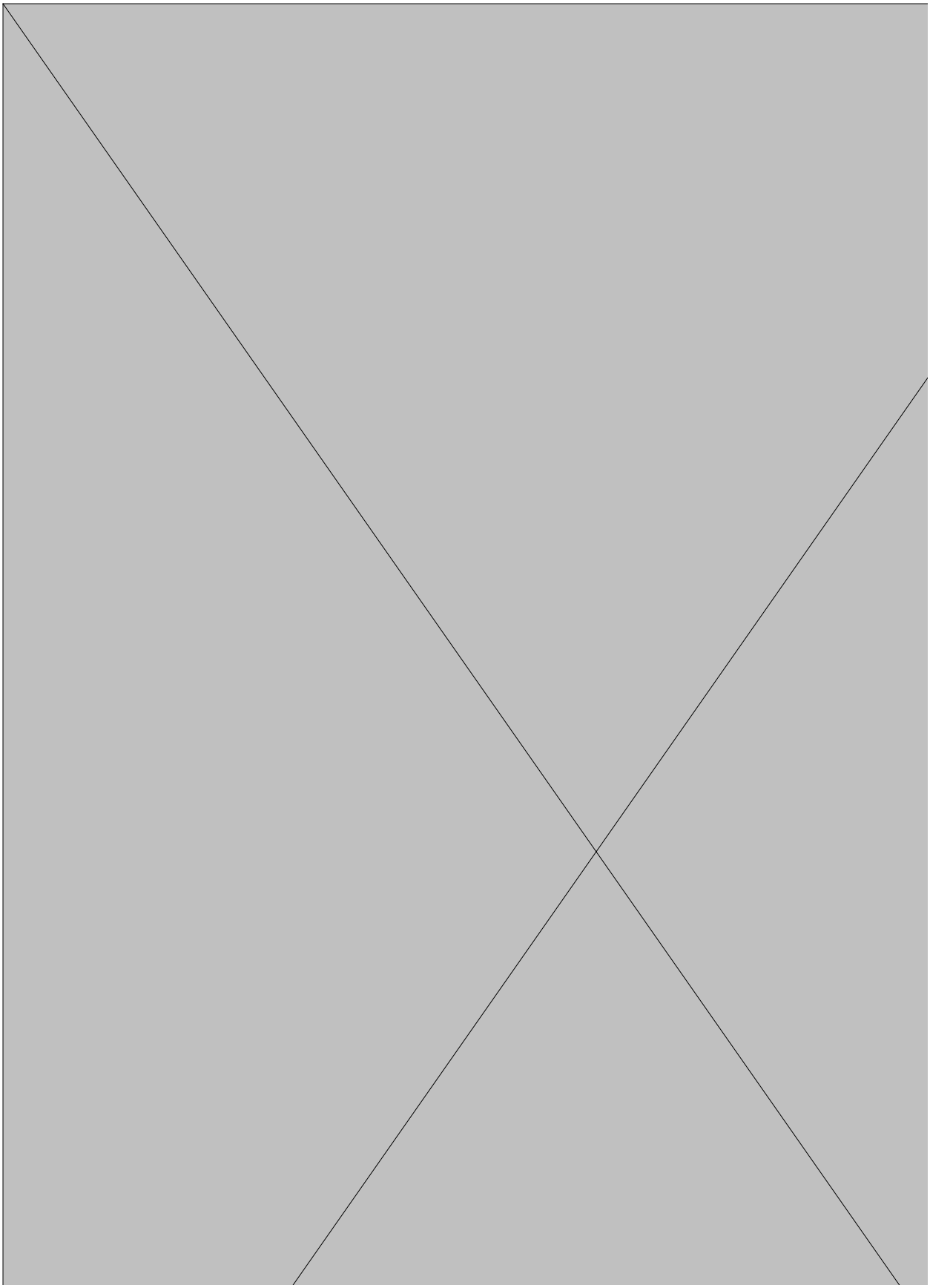
The Montana Petroleum Association is a non-profit trade association representing the nearly two hundred businesses which work to facilitate energy production in Montana. These include integrated and independent producers; lease operators; service providers; pipeline

companies; refineries; as well as professional entities providing legal, financial, and additional regulatory support to the oil and natural gas industry.

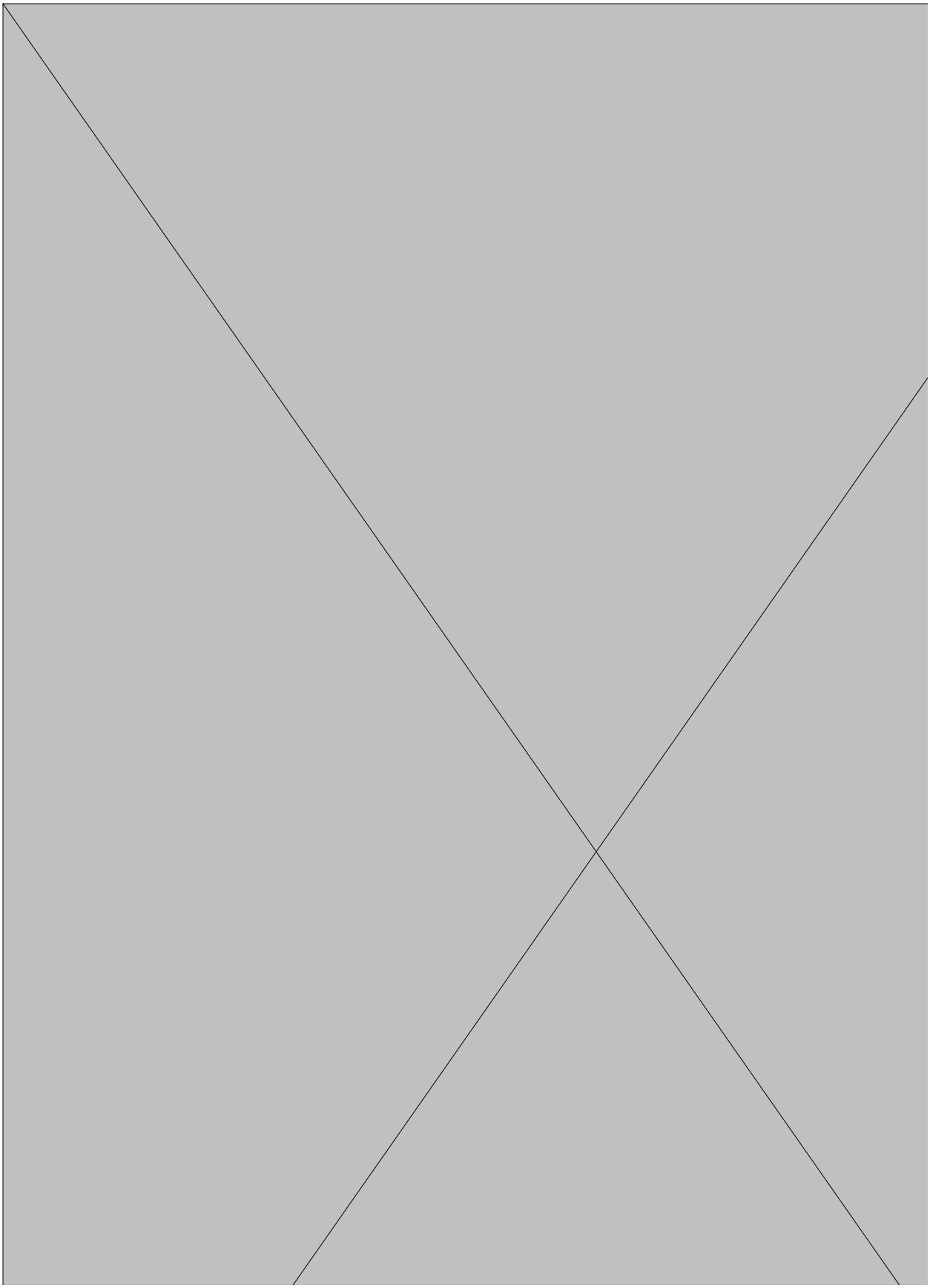
Our mailing address is:
Montana Petroleum Association, Inc
PO Box 1186
Helena, MT 59624

.

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-10-09T18:02:10-04:00
Importance: Normal
Subject: Seeking Industry's Best and Brightest
Received: 2018-10-09T18:02:24-04:00



To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-10-09T18:02:10-04:00
Importance: Normal
Subject: [EXTERNAL] Seeking Industry's Best and Brightest
Received: 2018-10-09T18:02:50-04:00



To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Neal Kirby
Sent: 2018-10-23T15:34:16-04:00
Importance: Normal
Subject: Automatic reply: Secretary Zinke Applauds President Trump's Nomination of Aurelia Skipwith to be Director of U.S. Fish and Wildlife Service
Received: 2018-10-23T15:34:25-04:00

Neal Kirby is no longer employed with IPAA. If this is a press inquiry and you need immediate assistance, please contact Jeff Eshelman at 202-857-4722 or jeshelman@ipaa.org. Thank you.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Neal Kirby
Sent: 2018-10-23T15:34:16-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: Secretary Zinke Applauds President Trump's Nomination of Aurelia Skipwith to be Director of U.S. Fish and Wildlife Service
Received: 2018-10-23T15:34:43-04:00

Neal Kirby is no longer employed with IPAA. If this is a press inquiry and you need immediate assistance, please contact Jeff Eshelman at 202-857-4722 or jeshelman@ipaa.org. Thank you.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Khary Cauthen
Sent: 2018-10-23T15:35:15-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: Secretary Zinke Applauds President Trump's Nomination of Aurelia Skipwith to be Director of U.S. Fish and Wildlife Service
Received: 2018-10-23T15:35:39-04:00

I am no longer with the American Petroleum Institute, please contact Carrie Domnitch at domnitchc@api.org

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Khary Cauthen
Sent: 2018-10-23T15:35:15-04:00
Importance: Normal
Subject: Automatic reply: Secretary Zinke Applauds President Trump's Nomination of Aurelia Skipwith to be Director of U.S. Fish and Wildlife Service
Received: 2018-10-23T15:35:22-04:00

I am no longer with the American Petroleum Institute, please contact Carrie Domnitch at domnitchc@api.org

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Richard Ranger
Sent: 2018-10-23T15:35:17-04:00
Importance: Normal
Subject: Automatic reply: Secretary Zinke Applauds President Trump's Nomination of Aurelia Skipwith to be Director of U.S. Fish and Wildlife Service
Received: 2018-10-23T15:35:21-04:00

I will be out of the country on vacation from Saturday, September 13 through Saturday, November 3, back in the office Monday November 5. I will not be reachable via email. Should you need to follow up on a matter that I have been handling, please call Francis Weaver at [redacted] (b)(6), and he will direct your call to one of my colleagues in the API Upstream Department. Otherwise, I will respond to your message when I return.

Very best,

Richard Ranger

API

1220 L Street NW

Washington DC 20005

202.682.8057

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Richard Ranger
Sent: 2018-10-23T15:35:17-04:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: Secretary Zinke Applauds President Trump's Nomination of Aurelia Skipwith to be Director of U.S. Fish and Wildlife Service
Received: 2018-10-23T15:35:40-04:00

I will be out of the country on vacation from Saturday, September 13 through Saturday, November 3, back in the office Monday November 5. I will not be reachable via email. Should you need to follow up on a matter that I have been handling, please call Francis Weaver at [redacted] (b)(6), and he will direct your call to one of my colleagues in the API Upstream Department. Otherwise, I will respond to your message when I return.

Very best,

Richard Ranger

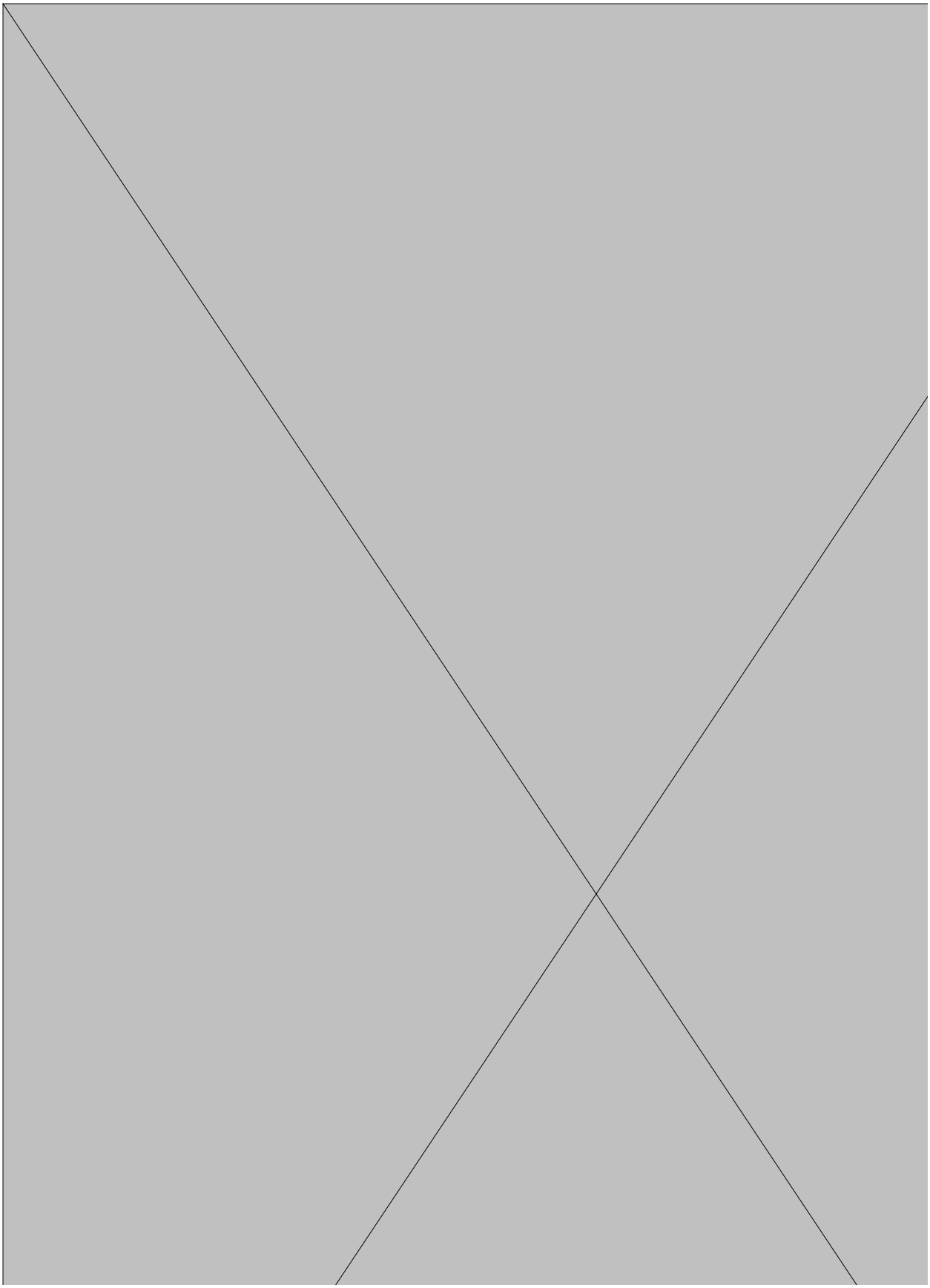
API

1220 L Street NW

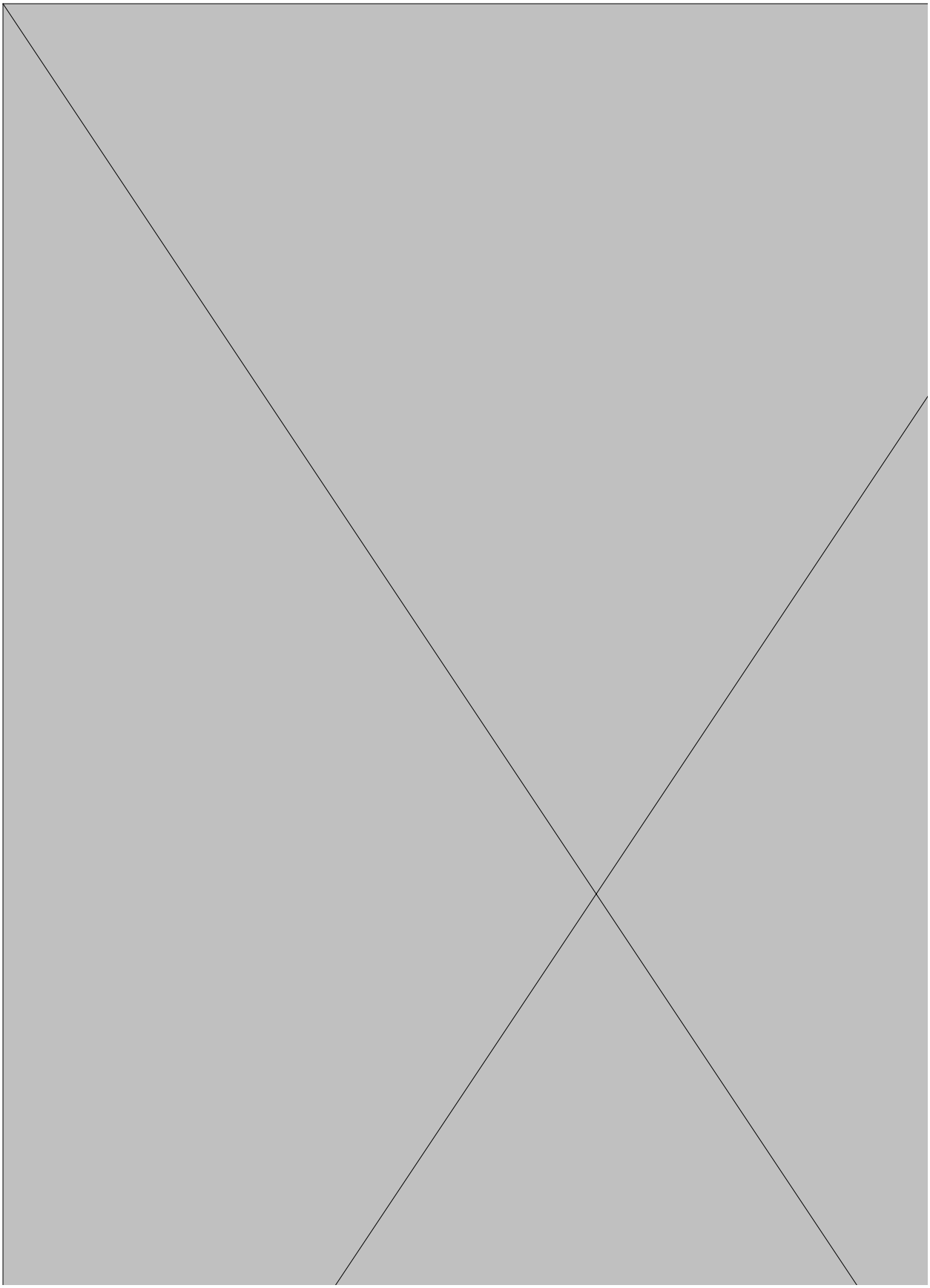
Washington DC 20005

202.682.8057

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-11-08T10:05:27-05:00
Importance: Normal
Subject: [EXTERNAL] Time's almost up!
Received: 2018-11-08T10:05:53-05:00



To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-11-08T10:05:27-05:00
Importance: Normal
Subject: Time's almost up!
Received: 2018-11-08T10:05:39-05:00



To: Casey Hammond[casey_hammond@ios.doi.gov]
From: Tripp Parks
Sent: 2018-11-15T17:49:03-05:00
Importance: Normal
Subject: Meeting
Received: 2018-11-15T17:49:23-05:00

Hi Casey,

I left you a voicemail earlier this week but figured it would be easier to connect via email. I'm coming to DC with a group of our members on November 27th and 28th. Any chance you've got some time to meet with us, preferably on that Tuesday?

Tripp Parks
Manager of Government Affairs
Western Energy Alliance

To: Casey Hammond[casey_hammond@ios.doi.gov]
From: Tripp Parks
Sent: 2018-11-15T17:49:03-05:00
Importance: Normal
Subject: [EXTERNAL] Meeting
Received: 2018-11-15T17:57:04-05:00

Hi Casey,

I left you a voicemail earlier this week but figured it would be easier to connect via email. I'm coming to DC with a group of our members on November 27th and 28th. Any chance you've got some time to meet with us, preferably on that Tuesday?

Tripp Parks
Manager of Government Affairs
Western Energy Alliance

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Mallori Miller
Sent: 2018-11-20T09:48:07-05:00
Importance: Normal
Subject: Automatic reply: BLM News Release: BLM Begins Planning Effort for NPR-A
Received: 2018-11-20T09:48:18-05:00

I will be out of the office until Monday November 26 with limited access to email. Should you need immediate assistance, please call IPAA at 202-857-4722 and ask to speak with a member of the Government Relations team. Thank you.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Mallori Miller
Sent: 2018-11-20T09:48:07-05:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: BLM News Release: BLM Begins Planning Effort for NPR-A
Received: 2018-11-20T09:48:29-05:00

I will be out of the office until Monday November 26 with limited access to email. Should you need immediate assistance, please call IPAA at 202-857-4722 and ask to speak with a member of the Government Relations team. Thank you.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Kathleen Sgamma
Sent: 2018-11-20T09:48:41-05:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: BLM News Release: BLM Begins Planning Effort for NPR-A
Received: 2018-11-20T09:48:53-05:00

?
I'm on vacation and then business travel, back in the office on Wednesday, November 28th. For media inquiries, contact Aaron Johnson, ajohnson@westernenergyalliance.org.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Kathleen Sgamma
Sent: 2018-11-20T09:48:41-05:00
Importance: Normal
Subject: Automatic reply: BLM News Release: BLM Begins Planning Effort for NPR-A
Received: 2018-11-20T09:48:52-05:00

?
I'm on vacation and then business travel, back in the office on Wednesday, November 28th. For media inquiries, contact Aaron Johnson, ajohnson@westernenergyalliance.org.

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Stacy Linden
Sent: 2018-11-20T09:49:11-05:00
Importance: Normal
Subject: [EXTERNAL] Automatic reply: BLM News Release: BLM Begins Planning Effort for NPR-A
Received: 2018-11-20T09:49:38-05:00

Thank you for your message. I am out of the office and my responses may be delayed. I will return to the office on Monday, November 26.
If you have an urgent message during normal business hours, please contact Leigh Ann Brown at brownl@api.org or [redacted].

Stacy Linden
Vice President, General Counsel
& Corporate Secretary
American Petroleum Institute
(202) 682-8229

To: Williams, Timothy[timothy_williams@ios.doi.gov]
From: Stacy Linden
Sent: 2018-11-20T09:49:11-05:00
Importance: Normal
Subject: Automatic reply: BLM News Release: BLM Begins Planning Effort for NPR-A
Received: 2018-11-20T09:49:20-05:00

Thank you for your message. I am out of the office and my responses may be delayed. I will return to the office on Monday, November 26.
If you have an urgent message during normal business hours, please contact Leigh Ann Brown at brownl@api.org or 202-682-8508.

Stacy Linden
Vice President, General Counsel
& Corporate Secretary
American Petroleum Institute
(202) 682-8229

To: 'Timothy Williams'[timothy_williams@ios.doi.gov]
From: Carrie Domnitch
Sent: 2018-11-26T14:31:13-05:00
Importance: Normal
Subject: Explore Offshore campaign Hill event on Wed
Received: 2018-11-29T05:27:40-05:00

Tim,
Hope you had a nice Thanksgiving. I wanted to make sure you were aware of this Hill event on Wednesday, and hope you will be able to join to listen to the dialogue.

Please join me on November 28th in the Capitol Visitors Center for a dynamic conversation with the Explore Offshore coalition regarding the future of American energy and the importance of offshore natural gas and oil. The event will feature Explore Offshore's bipartisan national chairs - former Secretary of Veterans Affairs Jim Nicholson and former Senator Jim Webb, who will discuss the importance of opening up the Atlantic Outer Continental Shelf (OCS) and the Eastern Gulf of Mexico to natural gas and oil exploration.

The panel will also feature coalition co-chairs from South Carolina and Florida, who will discuss the local benefits that their states could see if the Atlantic and Eastern Gulf of Mexico OCS are opened to offshore exploration and development, including high-paying jobs and millions in state revenues.

District Taco lunch will be provided, so **please RSVP to Natalia Sharova by email at sharovan@api.org** if you are planning to attend.
Please review the details of the invite with your ethics officer to determine whether you can accept a lunch or not.

I'm looking forward to seeing you on November 28th! Details below.

Future of American Energy

Briefing on the Importance of Exploring Offshore

Featuring National Co-Chairs of Explore Offshore Coalition:

Jim Nicholson
Fmr. U.S. Secretary of Veterans Affairs and U.S. Ambassador to the Holy See

Jim Webb
Fmr. Virginia Senator and Secretary of the Navy

District Taco lunch will be served.*

Sponsored by the American Petroleum Institute.

Additional speakers include:

Steven Gilchrist
Explore Offshore South Carolina Chair
Chairman of the South Carolina African American Chamber of Commerce

Jeff Kottkamp
Explore Offshore The Gulf Co-Chair
Fmr. Florida Lieutenant Governor

Please RSVP to Natalia Sharova by email at sharovan@api.org.

Wednesday,
November 28, 2018
11:30 am – 12:30 pm

Capitol Hill
Visitors Center,
Room SVC 209-08

www.ExploreOffshoreUSA.org

*This event is intended to comply with House and Senate gifts and ethics rules.

_____

Carrie M. Domnitch
Director, Federal Relations
American Petroleum Institute
(b)(6)

To: 'Timothy Williams'[timothy_williams@ios.doi.gov]
From: Carrie Domnitch
Sent: 2018-11-26T14:31:13-05:00
Importance: Normal
Subject: [EXTERNAL] Explore Offshore campaign Hill event on Wed
Received: 2018-11-26T14:38:02-05:00

Tim,
Hope you had a nice Thanksgiving. I wanted to make sure you were aware of this Hill event on Wednesday, and hope you will be able to join to listen to the dialogue.

Please join me on November 28th in the Capitol Visitors Center for a dynamic conversation with the Explore Offshore coalition regarding the future of American energy and the importance of offshore natural gas and oil. The event will feature Explore Offshore's bipartisan national chairs - former Secretary of Veterans Affairs Jim Nicholson and former Senator Jim Webb, who will discuss the importance of opening up the Atlantic Outer Continental Shelf (OCS) and the Eastern Gulf of Mexico to natural gas and oil exploration.

The panel will also feature coalition co-chairs from South Carolina and Florida, who will discuss the local benefits that their states could see if the Atlantic and Eastern Gulf of Mexico OCS are opened to offshore exploration and development, including high-paying jobs and millions in state revenues.

District Taco lunch will be provided, so **please RSVP to Natalia Sharova by email at sharovan@api.org** if you are planning to attend.
Please review the details of the invite with your ethics officer to determine whether you can accept a lunch or not.

I'm looking forward to seeing you on November 28th! Details below.

Future of American Energy

Briefing on the Importance of Exploring Offshore

Featuring National Co-Chairs of Explore Offshore Coalition:

Jim Nicholson
Fmr. U.S. Secretary of Veterans Affairs and U.S. Ambassador to the Holy See

Jim Webb
Fmr. Virginia Senator and Secretary of the Navy

District Taco lunch will be served.*

Sponsored by the American Petroleum Institute.

Additional speakers include:

Steven Gilchrist
Explore Offshore South Carolina Chair
Chairman of the South Carolina African American Chamber of Commerce

Jeff Kottkamp
Explore Offshore The Gulf Co-Chair
Fmr. Florida Lieutenant Governor

Please RSVP to Natalia Sharova by email at sharovan@api.org.

Wednesday,
November 28, 2018
11:30 am – 12:30 pm

Capitol Hill
Visitors Center,
Room SVC 209-08

www.ExploreOffshoreUSA.org

*This event is intended to comply with House and Senate gifts and ethics rules.

_____

Carrie M. Domnitch
Director, Federal Relations
American Petroleum Institute
(b)(6)

To: James Cason[james_cason@ios.doi.gov]
From: Mike Sommers
Sent: 2018-11-27T11:12:05-05:00
Importance: Normal
Subject: You're Invited to API's State of American Energy 2019
Received: 2018-11-28T08:31:20-05:00

The American Petroleum Institute invites you to

The 2019 State of American Energy luncheon – celebrating Generation Energy

We are in the midst of Generation Energy. More natural gas and oil is produced in the United States than any other country in the world. At the same time, U.S. carbon dioxide emissions are at their lowest levels in a generation, largely because of the growing role played by clean natural gas. Our industry is an economic engine, supporting 10.3 million jobs – to produce, deliver and refine natural gas and oil – as well as jobs associated with energy development and the personal spending of our workers.

Guided by smart policies and regulations that unleash innovation and progress, natural gas and oil are playing a powerful role in America's economic progress and will for generations to come.

Join me and industry leaders from coast to coast at the 2019 State of American Energy luncheon.

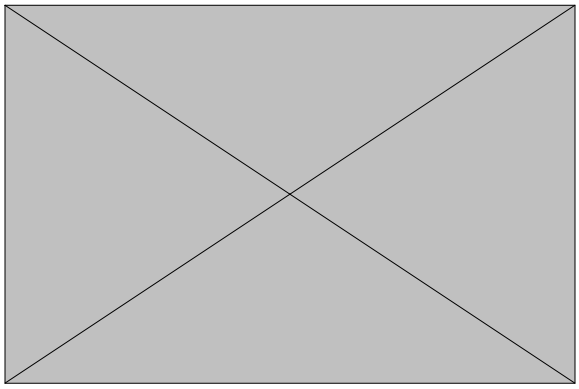
Sincerely,

MIKE SOMMERS
President and CEO, API

RSVP

BY DECEMBER 31st

This invitation is non-transferable.



WHEN

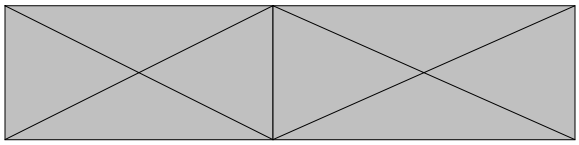
TUESDAY, JANUARY 8, 2019
11:30 A.M.– 1:30 P.M.

WHERE

RONALD REAGAN BUILDING AND INTERNATIONAL TRADE CENTER ATRIUM BALLROOM

1300 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20004

Please use entrance on 14th Street



This event has been designed to comply with the gifts and ethics rules of the U.S. Senate and House of Representatives as a “widely attended event.” Employees of the executive branch may wish to consult their Designated Agency Ethics Official about any rules that may apply to their attendance at this event.

To: Amanda Kaster-Averill[amanda_kaster@ios.doi.gov]
From: Mike Sommers
Sent: 2018-11-27T11:12:08-05:00
Importance: Normal
Subject: You're Invited to API's State of American Energy 2019
Received: 2018-11-30T02:33:43-05:00

The American Petroleum Institute invites you to

The 2019 State of American Energy luncheon – celebrating Generation Energy

We are in the midst of Generation Energy. More natural gas and oil is produced in the United States than any other country in the world. At the same time, U.S. carbon dioxide emissions are at their lowest levels in a generation, largely because of the growing role played by clean natural gas. Our industry is an economic engine, supporting 10.3 million jobs – to produce, deliver and refine natural gas and oil – as well as jobs associated with energy development and the personal spending of our workers.

Guided by smart policies and regulations that unleash innovation and progress, natural gas and oil are playing a powerful role in America's economic progress and will for generations to come.

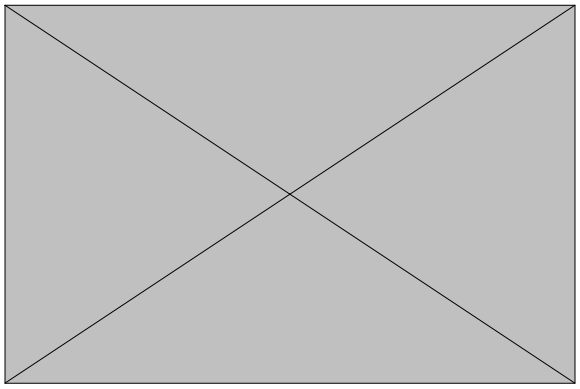
Join me and industry leaders from coast to coast at the 2019 State of American Energy luncheon.

Sincerely,

MIKE SOMMERS
President and CEO, API

RSVP

BY DECEMBER 31st
This invitation is non-transferable.

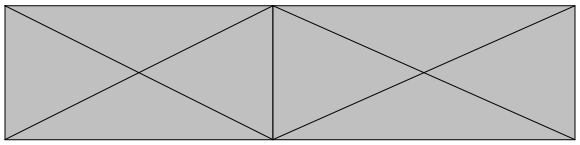


WHEN

TUESDAY, JANUARY 8, 2019
11:30 A.M.– 1:30 P.M.

WHERE

RONALD REAGAN BUILDING AND
INTERNATIONAL TRADE CENTER
ATRIUM BALLROOM
1300 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20004
Please use entrance on 14th Street



This event has been designed to comply with the gifts and ethics rules of the U.S. Senate and House of Representatives as a “widely attended event.” Employees of the executive branch may wish to consult their Designated Agency Ethics Official about any rules that may apply to their attendance at this event.

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-11-28T16:02:43-05:00
Importance: Normal
Subject: [EXTERNAL] Tell us your Energy Summit session ideas for 2019
Received: 2018-11-29T05:12:06-05:00

To: Jim Cason[James_cason@ios.doi.gov]
From: Colorado Oil & Gas Association
Sent: 2018-11-28T16:02:43-05:00
Importance: Normal
Subject: Tell us your Energy Summit session ideas for 2019
Received: 2018-11-28T16:03:45-05:00